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Evaluation of the revised condition of registration on student outcomes (B3): Telephone interviews

Report to the Office for Students by Shift
Learning

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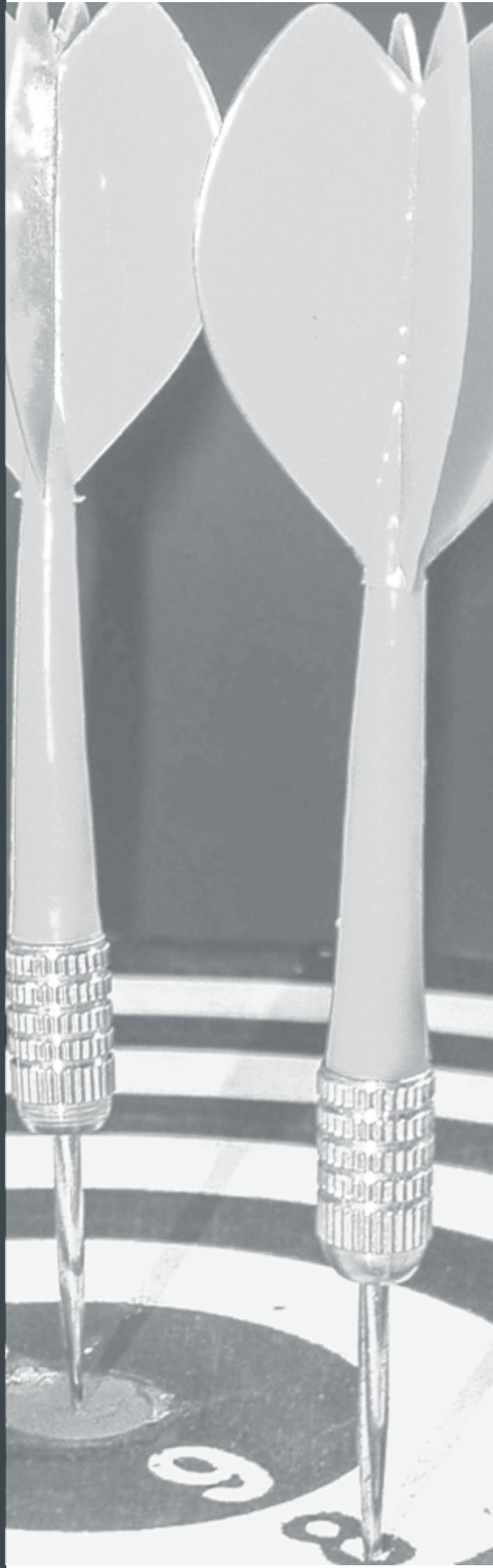
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Executive summary



Background

This research was conducted by Shift Learning as part of a wider programme of work by the Office for Students (OfS) to evaluate revised condition of registration B3 (hereafter largely referred to as 'B3'), which came into effect in October 2022.¹ All OfS-registered providers must comply with this condition, which requires them to deliver positive outcomes for students on their higher education courses.

Interviews were conducted in May 2023 with quality contacts from 40 higher education (HE) providers, sampled to reflect variation in financial typology and data for the B3 indicators. Participants were all in roles with responsibility for compliance with B3 and represented positions such as Academic Registrar, Head of Quality and Standards, Student Data Lead, Vice Principal and Head of Higher Education. The interviews were intended to capture open and exploratory information to understand how providers are responding to B3, looking specifically at: their understanding of the condition; how their providers approach self-evaluating compliance with B3; and what effect B3 may have had on provider behaviour and student outcomes.

Understanding of revised condition B3

- Broadly, there was a good level of understanding of B3 amongst participants. They largely agreed with the overall principle and focus on providing quality student outcomes, feeling this aligned with provider aims.
- As participants in this research were all directly involved in their provider's response, they tended to rate their own knowledge of the condition as fairly strong.
- However, many were hesitant to state they had a secure understanding and worried that there may be an element that they had misinterpreted. This often stemmed from the OfS documentation being viewed as lengthy, with complex terminology, meaning important information could get lost. This was also felt to place great time and resource demands on providers to fully digest information – a particular issue for smaller providers without dedicated teams to focus on B3.
- Many participants spoke of attending initial launch webinars from the OfS, although the perceived value of these was varied. Several felt that these did not do much beyond reiterating information in the written guidance and could benefit from more question-and-answer opportunities.
- Those who had spoken one-to-one with an OfS contact had valued the opportunity to ask direct questions on any ambiguities and wanted to see more opportunities for this.
- Many were also using other networks and HE groups to discuss B3 – valuing this collaborative approach for sharing best practice and developing their understanding.
- Understanding amongst wider roles within providers was rated variably and was often very role-specific.
- Some participants had delivered sessions to raise awareness and generate a provider-wide response. However, for others, this was not currently possible due to the time and resources required, with many already seeing this as a lengthy process to review documentation themselves.
- While B3 was broadly well understood, a few individual misunderstandings or ambiguities were raised, including those related to:
 - How context is applied to data.
 - Uncertainty around consequences of non-compliance.
 - Disagreement with definitions of graduate outcomes and positive student outcomes.
 - Other specific difficulties with definitions.
 - Applicability of B3 to a range of HE qualifications.
 - Issues with data collection.
 - Issues in interpreting documentation from the OfS on B3.
- The majority of participants reported understanding the general principles by which compliance was determined, but there was confusion over exactly how context is applied to those judgements.

¹ See [Conditions of registration - Office for Students](#)

- While participants were aware and valued that the OfS stated context would be considered, the information was deemed too vague to know exactly how this would happen and allow providers to evaluate risk. Many wanted more detail on this – with case studies, where possible.
- This was a concern, especially amongst participants representing Group 3 providers² (i.e. those more likely to be underperforming against the B3 thresholds), as the potential consequences for providers could be severe.

Provider self-evaluation of B3 compliance

- The research indicated that providers were not having to overhaul their existing evaluation and quality monitoring processes as a result of B3, with many participants commenting that these were areas they monitored already. However, most were adapting these processes to more closely reflect the specific indicators used for B3, such as by adding in split metrics and changing terminology.
- Many felt that their self-evaluation approach worked well, as it largely followed their existing quality monitoring processes, which had been in place for many years.
- A large number also commented that this had added a new and useful angle to their existing monitoring, giving them top-level benchmarking, which could help highlight areas for intervention.
- Similarly, split metrics allowed them to easily see which student groups would benefit from targeted support. The dashboards were also valued by many in allowing them to further interrogate their data.
- The exact roles and teams involved in the B3 self-evaluation process varied across providers. However, there was some sense that a more ground-up approach, with more involvement and ownership of actions from the academic level, was beneficial.
- The biggest challenge in self-evaluating B3 compliance appeared to be the time and resource required, particularly in the initial knowledge-building stage and adapting existing processes to mirror B3. Those in smaller or further education providers found this process particularly cumbersome, either due to an overlap with other regulatory bodies they report to or having smaller data teams with less time to dedicate.

Actions as a result of B3

- B3 was seen to have broadly positive outcomes, in that it helps providers to focus their actions. It was not seen to introduce anything hugely new to providers beyond what they already did through existing monitoring, but it did offer a framework to identify areas for intervention and evaluate success.
- Participants generally regarded B3 as a catalyst for pushing forward changes that had been instigated by other factors, with the Covid-19 pandemic and providers' financial statuses mentioned often.
- The majority of participants, particularly those from Group 1 providers (i.e. those least likely to be underperforming against the B3 thresholds), did not feel that the condition would have an effect on the strategic direction of their provider, as their current objectives and practices were already aligned with the aims of B3, around delivering positive outcomes to students.
- Conversely, several participants, particularly those from further education colleges in threshold Groups 2 and 3, were concerned that the calculation of the progression threshold did not align with their understanding of positive outcomes in this area.
- Teaching and learning and pastoral support were areas in which the most notable action had been taken by providers and, although B3 was mostly seen as a contributing factor rather than a causal link, a small number of participants saw B3 as having a direct effect. Actions varied by threshold grouping, but were largely characterised by increased support for students and greater focus on employability in specific occupations.
- Most participants did not see B3 as affecting student recruitment. However, a small number noted that changes to entry requirements, the withdrawal of creative courses in favour of more directly vocational courses, and a preference for courses with larger cohort sizes were underway at their provider.

² See page 13 for a breakdown of the provider groupings and the methodology underpinning them.

- Participants spoke of how B3 could have an effect on their future course offerings – with those that can offer positive outcomes in line with B3 definitions likely to be prioritised.
- Despite general understanding that provider context was taken into account, a large minority still perceived cohort size and learner demographics to present vulnerabilities to smaller, further education providers, in light of B3. As such, they had concerns around the effect of B3 on widening participation.

The effect of B3

- Most participants saw B3 as having a positive effect on providers through clarifying and solidifying expectations, which was also seen to aid internal communication of standards.
- Generally, it was seen as a framework by which best practice and areas for improvement would be identified, in order to generate targeted responses.
- However, there was some concern from a few that, in the long term, B3 may discourage providers from providing flexibility to their students, by introducing stricter policies around early interventions, extensions and deferrals for students that were seen as at risk of non-completion, to the particular disadvantage of learners with characteristics associated with widening participation. This was often raised as a concern for the future but a small number had already brought in early interventions such as these.
- There was also a common concern around the extent to which B3 could encourage providers to be more risk-averse in future, and the effect this could have on the restriction of course portfolios, willingness to enter provider partnerships, and innovations in pedagogy. Changes to course provision had already taken place at a small number of providers although it was rare that such changes were currently being attributed directly to B3.
- More immediately, the effect of resourcing for self-evaluating and developing responses to B3, on top of quality interventions providers were already undertaking, was seen to disadvantage smaller providers in particular.

Background and research objectives

Background

The revised B3 condition

The OfS is currently conducting an evaluation of the revised B3 condition (largely referred to as B3 from herein). B3 requires that a provider must deliver positive outcomes for students on its courses. The expectation for positive outcomes starts with a provider's outcome data for three measures: continuation, completion and progression into professional or managerial employment or further study.

These measures are further categorised by mode and level of study (16 subcategories), meaning a provider has up to 48 indicators. For the 48 indicators, the OfS has published numerical thresholds that set the minimum expectation for the outcomes a provider should be delivering. The OfS will consider a provider to be 'delivering positive outcomes' if it is performing at or above each of the numerical thresholds that the OfS has set in relation to the indicators and split indicators, or if the OfS judges that the provider's individual context justifies any performance below the threshold. The thresholds are set based on average performance across the sector, and most providers are performing above most thresholds. The OfS does not prescribe rules or set expectations on how to meet the thresholds. Instead, it uses a risk-based approach to identify those providers at risk of breaching the condition and therefore not providing positive outcomes. The OfS then considers whether there is any reason why, for an individual provider, positive outcomes are being achieved regardless of performance below thresholds. Providers that are below the threshold for any of these given indicators are not automatically non-compliant. If the OfS does not find sufficient contextual evidence to justify underperformance in the indicators selected for focus, they will impose regulatory action on the provider. The OfS consulted on revising the approach to B3 over three phases, and in July 2022 the revised condition was published³, which forms part of the regulatory framework, alongside guidance directly relating to that condition. The revised condition has applied since 3 October 2022.

Wider evaluation aims

The primary aim of the OfS's wider evaluation of B3 is to find out whether the new approach to the B3 condition is working, how it works, and how it could be improved. This involves understanding whether the B3 condition has been successful in meeting its policy objective – to ensure students receive a minimum level of quality and performance from providers, thereby improving student outcomes. The evaluation intends to develop an understanding of the mechanisms for change – how and why providers have changed their behaviour and the impact of this on student outcomes. The evaluation consists of this study, as well as a set of in-depth case studies, and analysis of existing data available to the OfS.

Research objectives

As part of the evaluation process, the OfS commissioned Shift Learning to conduct interviews with provider staff in roles responsible for B3 compliance. The interviews were intended to capture open and exploratory information from a sample of providers to understand how they are responding to B3. The findings will be used by OfS internal audiences to inform the design and operation of B3 and other conditions of registration.

This research aimed to focus on the causal pathways related to provider behaviour change and student outcomes. It is important to note that this methodology relies on providers self-reporting these behaviours and actions, as well as the factors that have instigated them, with a wide range of sector influences – such as the pandemic, economic factors and the influence of other regulators – also providing potential stimulus for change. There is no control group to measure action that would have been taken if B3 were not in place, which means establishing direct causal links between B3 and providers' behavioural change has been approached with caution in our analysis.

³ See [Condition B3: Student outcomes \(officeforstudents.org.uk\)](https://www.officeforstudents.org.uk)

Research questions focused on three core areas:

Understanding

- How would providers rate their understanding of the B3 condition?
- How would they define the way in which compliance or non-compliance is determined?
- What areas of misunderstanding, if any, can be identified?

Evaluating

- What steps have providers taken to self-evaluate their compliance with the condition?
- What resources have they used? What roles were involved in the process? How were they involved?
- What went well? What barriers or challenges were encountered (including related to regulatory burden)?

Acting

- What effect has the B3 condition had on provider activities in relation to continuation, completion and progression?
- What changes have been made, if any, in relation to each of these areas?
- What steps were involved in making these changes?
- What factors contributed to the final decisions around these changes? Why were these important?
- To what extent have these changes been a result of the B3 condition? What other factors have driven these changes (for example, other quality/'B' conditions of registration, access and participation regulation, and the Teaching Excellence Framework (TEF))?

This report details the findings of this research – looking in turn at:

- Provider understanding of B3.
- Self-evaluation of compliance with B3.
- Actions of providers as a result of B3.
- Wider effects and outcomes of B3.

Method design overview

Shift Learning were commissioned to run this research, for which we applied the following methodology:

Scoping

- Method: Kick-off meeting and review of relevant sources for Shift onboarding.
- Purpose: To provide a firm foundation, ensuring research tools and interviewer approach reflect the wider context.

Qualitative interviews

- Method: 40 hour-long interviews with roles responsible for B3 compliance at registered HE providers in England.
- Purpose: To generate deep and detailed qualitative insight focused on causal pathways relating to provider behaviour change and student outcomes. Interviews delved into B3 understanding, evaluation processes, and any actions taken or likely to be taken as a result of B3.

Protecting participant anonymity

Participants were informed that they would not be identifiable to the OfS as having taken part in the research: through interview transcripts not being shared with OfS, and any clear identifiers – including participant and provider names – being kept out of the report. Where quotes have been used, these have been redacted to remove any clear contextual identifiers, as outlined to participants. Quote attributions have also been redacted to remove

any information that could be linked to identify participants or providers. Quotes from Group 3 providers in particular, being a small group, do not contain any other detail to avoid identifying these providers.

Analysis and reporting

- Method: Creation of an analysis plan and code frame, followed by a report on full findings.
- Purpose: To ensure robust analysis and dissemination of clear findings to OfS stakeholders.

Profile of participants

Profile of participants

We conducted 40 online interviews with people in roles responsible for compliance with the B3 condition at registered HE providers across England. Participants were all in roles with responsibility for compliance with B3 and represented positions such as Academic Registrar, Head of Quality and Standards, Student Data Lead, Vice Principal and Head of Higher Education. Participants were from a mix of regions and provider types and were invited to take part via email from the OfS. A total of 61 individuals expressed initial interest in the research, of which 40 were selected to conduct an interview. Table 1 shows the distribution across the OfS provider financial typologies.⁴

Financial typology	Number of participants	Number of providers in the sector ⁵
QI ⁶ over £200m	5	35
QI £100m-£200m	5	43
QI less than £100m or unknown	7	70
Majority level 4/5	12	164
Specialist: creative	5	42
Specialist: other	4	51
Unclassified	2	18
Total	40	423

Table 1: Financial typology

Participants were also sampled to represent views from different groups of providers in terms of their data against the B3 thresholds (see Table 2 below). This was done to understand whether a provider's position against the thresholds affects the degree and type of actions taken. The sampling groups use information on the proportion of students at a provider who are in a student group whose indicator rate is below the threshold set out for the regulation of condition B3 in any of the four years for which the indicators are calculated. The indicators are continuation, completion and progression. The student group is defined by the mode and level of study. For example, 'full-time first-degree students' is a student group.

The identification of indicators below threshold was based on those below the numerical threshold with greater than 95 per cent statistical confidence. These calculations used data from the OfS's Student Outcomes data dashboard published in September 2022⁷ (note this has since been updated).

The number of students in each group where the indicator value is below the threshold are added together and divided by the total number of students at the provider. More details, including definitions of the three indicators, can be found under the 'How is this calculated?' section of the OfS's key performance measure 1 webpage⁸, which uses the same methodology.

- Group 1: any provider that has a lower proportion of students affected by indicators below thresholds than the sector average (as defined by OfS's Key Performance Measure 1) for continuation, completion AND progression.

⁴ See [Provider typologies 2022: Methodology for grouping OfS-registered providers - Office for Students](#)

⁵ There are currently 423 providers registered with the OfS (as at July 2023), but at the time of the sampling only 405 of them had been classified according to the financial typologies. This leaves 18 providers as 'unclassified'.

⁶ QI = qualifying income

⁷ See [Student outcomes: Data dashboard - Office for Students](#)

⁸ See [KPM 1: Extent of poor student outcomes - Office for Students](#)

- Group 2: providers that have at least one outcome with a higher proportion of students affected by indicators below the threshold than the sector average, but that do not have any proportions of students below threshold greater than 30 per cent.
- Group 3: any provider that has at least one indicator where the proportion of students affected by indicators below the threshold is greater than 30 per cent.
- Group 4: these providers are not included in the sampling groups 1 to 3 because the OfS had no data, or insufficient data, to calculate all of the student outcomes indicators at the time of the last publication of the Student Outcomes dashboard. This could be, for example, because the provider is new to the OfS register.

B3 Threshold banding	Number of participants/providers	Number of providers in the sector⁹
Group 1	21	234
Group 2	11	110
Group 3	6	47
Group 4	2	32
Total	40	423

Table 2: Threshold banding

At the time of this research, the OfS was conducting assessments of B3 compliance in a number of providers under its 2022 cycle of assessments. None of the providers interviewed for this research were currently subject to B3 compliance assessments. See [appendix](#) for a breakdown of participant roles and regions.

⁹ There are currently 423 providers registered with the OfS (as at July 2023), but at the time of the sampling only 391 of them had sufficient data to be included in the Student Outcomes dashboard. This leaves 32 providers falling into 'Group 4'.

Findings: Understanding of B3

Participant understanding of B3

Understanding of the revised condition B3 was generally good among our sample but could be quite varied by role and provider. All participants understood B3's broad intended aims, but there was variable understanding of exact details around how compliance is determined. Specific areas of confusion are detailed later in this report.

For most in our sample, responding to OfS regulations was a core part of their role and so it was required for them to have a good understanding. A few had attended B3 information sessions, while most had spent time reading through the documentation to build understanding. Publication of the Student Outcomes data dashboard had helped some to understand this better, as they were able to explore the data rather than relying on a theoretical understanding. Many had also found sharing the data dashboards useful in helping to familiarise themselves and other colleagues with the requirements.

However, when asked about their level of knowledge, many were uncertain how well they understood B3 and whether they had misinterpreted certain elements. While they often felt like they had a good enough grasp of B3, there was a worry that they might be missing something. This often stemmed from a feeling that the OfS documentation was too lengthy, detailed and difficult to digest, meaning key information could get lost. This made participants question their understanding and not always feel fully secure, causing them to worry over potential implications this could have on the provider. For a small number, they were simply not able to find sufficient time to read through the documentation, which meant operating with a functional yet basic level of knowledge and having concerns that they could not fully explore and understand the condition.

"I probably have a better knowledge of it than I think I do, but when I read the documents, I tend to think I'm trying to work out what you mean. It's just the language used is not the most helpful."

Group 1, QI less than £100m or unknown

Some elements of B3 were flagged as being more ambiguous, less applicable to their provider or less well understood. These are explored further within the 'Areas of confusion' section of the report.

A few participants from majority level 4/5 providers explained that they had devoted less attention to B3 due to the OfS being one of many regulators they report to, as well as generally having less staff resourcing exclusively for HE regulation due to it being a lower proportion of their provision. Consequently, this meant that their depth of B3 understanding was lower than they felt it should be. Similarly, many of the smaller, specialist providers we spoke with, without teams dedicated to compliance or OfS regulation, could struggle to find time and resource to fully explore and embed B3 within their provider:

"[Redacted college name] is fairly small, so at the moment, unfortunately, besides finance, I'm the only person that takes care of all the requirements for the Office for Students, including HESA reports. Because my plate is very, very full, I do not engage with all the OfS documentation as much as I actually should. Sometimes I have to prioritise immediate issues, and [B3] is always on the back burner."

Group 2, Specialist – other

Understanding within the provider

Across the represented providers, current understanding of B3 amongst wider roles was thought to be highly variable. Outside of those for whom B3 was a core responsibility, roles seen as having higher levels of B3 awareness and understanding tended to be those in senior leadership, such as deputy vice-chancellors, quality and standards teams, programme leaders, and associate deans.

Most felt that academics had a functional, top-level awareness of B3, but detailed understanding varied beyond this. Many felt this was acceptable, however, with a deeper understanding being the responsibility of data/quality teams.

“This is why me and my team are employed by my organisation. We are the experts of it and we explain to our academics what they need to do, but I don’t think it’s that well understood outside of senior managers, and our HE quality team, and my role. [...] If you had a tutor sat here right now, and you said to them ‘Can you talk to us about Condition B3’, they’d want you to explain exactly what Condition B3 was. They’d give you a blank answer. If you said ‘Can you talk to us about continuation’, they’d go ‘Oh right, yes, I know what continuation is’.”

Group 2, Majority level 4/5

Many participants felt it was beneficial to engage wider staff and academics and build understanding of B3 in order to work together to enact positive change. One participant from a smaller further education (FE) provider described how, due to having a smaller staff team compared with larger universities, academic staff were much more involved in quality measures such as B3 and TEF. This was seen to have a positive effect in creating a shared understanding of the condition.

Many felt that a deeper understanding of B3 among staff would help in communicating the rationale behind interventions that have come about as a result and would avoid B3 being seen as ‘just another KPI [key performance indicator]’, which was raised as a concern by a small number of participants.

Group 1 participants commonly described B3 as being well understood across their provider and often described efforts that had been made to raise awareness and knowledge of B3 among wider staff. This included:

- Annual discussions of course performance to include B3 as a key metric.
- Action plans for courses that were not performing as they should.
- Education pieces with wider staff involving sharing dashboards and creating internal presentations to explain B3.
- Embedding and aligning with B3 in their quality processes, such as taking a risk-based approach.
- Including B3 in strategy discussions.
- OfS regulation as a standing agenda point in senior management team (SMT) meetings.

Others, across groupings, wanted to do more of this knowledge-building around B3, but resourcing and time constraints often limited their capacity to do so. Many participants recounted the lengthy process of familiarising themselves with B3 before even considering the time it would take to translate this into more digestible language for the wider staff.

Understanding of B3 aims and how non-compliance is determined

When asked what they felt the broader intended aims of B3 were, all participants understood and broadly agreed with the overarching aim of measuring and ensuring positive outcomes for students in terms of continuation, completion, and progression. Participants described how B3 measured quality in these three areas against a threshold of what was deemed to be a minimum base of quality provision, allowing identification of areas for intervention. It was felt that B3 was designed to offer some consistency and a standardised view of this across the sector, helping to identify underperforming programmes or providers and prompting providers to act on this.

A few also discussed how B3 could help to indicate value for money for students and taxpayers – ensuring courses deliver positive outcomes for individuals and society, producing graduates who contribute to the economy.

At a top level, most described how B3 matched with providers’ existing priorities in delivering positive outcomes for students and so, in that sense, B3 was not anything particularly new in terms of organisational focus.

While, in principle, participants understood and agreed with the aims of B3, many spoke of concerns about it homogenising a very broad sector. We often heard confusion or lack of clarity around how context was taken into account within compliance judgements and wider public reporting of B3. A few spoke of this leading to very different provider types being compared like-for-like without considering the context of different programmes, students and

local needs. It was felt this could be damaging to wider perceptions of the HE sector, if all providers are viewed under the same umbrella.

A small number also spoke of a sense of distrust around why the OfS is collecting this data and how it will be used. While broadly agreeing with its ideological aims, they stated a lack of faith that data would be used for good. One area of ambiguity that fed into a feeling of mistrust was around how compliance and non-compliance were determined. With a lack of clarity over how context is applied in compliance judgements, some felt a sense of unease and distrust whether context would indeed be taken into account.

Areas of confusion

The interviews explored which elements of the revised condition B3 participants found harder to understand or that they felt needed further clarification. Core issues raised related to:

- How context is applied to judgements of compliance.
- Definition of graduate outcomes and positive student outcomes.
- Other specific difficulties with definitions.
- Applicability of B3 to a range of HE qualifications.
- Issues with data collection.

How context is applied to judgements of compliance

While participants did acknowledge that OfS documentation says context is considered when making compliance judgements, they felt the detail on this was not always clear. When asked about this process, many across the sample described it quite vaguely and felt it was not currently explained well enough. They described being unclear about how compliance decisions were made, what happened beyond the point of falling below a threshold, what conversations with the OfS entailed at this point, and how context was applied to this. This lack of detailed knowledge caused them stress, as it was known that the potential consequences could be hugely negative for them – either reputationally or operationally. As such, they wanted to see case studies from the OfS to make this concept less abstract. Among those representing Group 3 providers, there was somewhat more concern and apprehension linked to this confusion.

“I don’t think that I, or possibly [the] sector, fully understand [compliance] yet because it’s so new. Having not been involved in triggering that we’ve not been compliant, or have awareness of an institution that has gone through that process, I don’t think that there is a massive amount of understanding. I use the word ‘fear’, but it’s apprehension, that actually ‘What does that mean? If we are in a breach of a condition what is actually going to happen?’”

Group 3

Many did also comment on this confusion being expected, with B3 still relatively new and not having any concrete examples available of how context has been applied in investigations. Many also said the data dashboard had helped to some degree in allowing them to interrogate further to apply their own risk-based assessments.

“I think their dashboards are very helpful and clear in terms of looking at the statistics because that tells us how they’re going to make the judgement. As to what they do, it’s an interesting one because the rumour mill goes mad, so there’s all kinds of things about what they do and don’t do. I think probably the view is... I think they’re still finding their feet.”

Group 2, QI less than £100m or unknown

Definition of graduate outcomes and positive student outcomes

One area that was questioned and felt to need contextualising was the definition of positive student outcomes in terms of progression and graduate outcomes. Participants talked of different provider definitions of success – dependent on students’ study motivations, local economy needs and programme types.

The definition of ‘professional employment’ within progression metrics was debated and disagreed with by a few, as opposed to necessarily being an area of confusion – particularly those from specialist or majority level 4/5 providers who saw their students and programmes as very different to more typical undergraduate degree programmes. Similarly, completion was a debated metric for some specific courses. For example, one participant described their professional qualification offer and how the students enrolling on this did not always have completion as an end goal – dropping out when the core workplace benefit was gained. This would result in lower completion rates, but for the student this was a successful outcome. Although not explicitly stated by the participants, it indicated some confusion or lack of knowledge over how context is applied to such courses in compliance judgements.

“One thing is the classification of professional employment. We find that’s quite a restrictive definition and doesn’t reflect the career aims and aspirations and ambitions of our cohorts necessarily. So our cohorts come in to get a specific qualification, to get a specific role, and that’s what they want. To them that’s 100% value for money but in the eyes of the OfS that would not be counted as positive in terms of graduate outcomes.”

Group 2, Majority level 4/5

Other specific difficulties with definitions

A few spoke of conflicting definitions between their provider and the OfS. For example, a few discussed how ‘progression’ or ‘retention’ was used internally to describe what OfS terms ‘continuation’. This required a shift in internal terminology and could cause confusion when speaking to wider staff, such as academics, about B3. Similarly, a small number of those offering apprenticeships spoke of changes in terminology, such as using ‘completion’ instead of ‘achievement’.

“Even progression is a bit difficult because ‘progression’ for us doesn’t mean the same thing as for the Office for Students. So we always have to caveat with the Office for Students’ definition of progression, meaning da, da, da. So I think some of the terminology can sometimes trip people up a bit in terms of that interpretation.”

Group 2, QI £100m-£200m

Other specific definition issues included:

- **Completion:** how many years after starting the course did this include?
- **Continuation:** how does this apply to one-year courses? How would this apply to students who suspended their studies?
- **Acronyms:** e.g. IMD (indicators of multiple deprivation), with too many causing confusion.
- **Difference in language used across B3 and Access and Participation Plans:** e.g. use of the terms ‘splits’ and ‘gaps’.
- **Technical language used:** this can present a barrier to those less data-minded, e.g. threshold, indicator, benchmark, significance. It was felt this needed to be stated in clearer, lay terms. This was often raised by those working in smaller, specialist providers without dedicated data teams.

Applicability of B3 to a range of HE qualifications

Amongst a few participants from majority level 4/5 and specialist creative providers, queries were raised over how B3 relates to qualifications other than undergraduate degrees, such as HNC, HND, professional qualifications, foundation degrees and apprenticeships. These participants felt the wording in documentation assumed an undergraduate degree focus and therefore was harder to apply to their circumstances. They felt this presented

issues in interpreting and applying metrics to qualifications that take place on different timelines to undergraduate degrees, particularly one-year courses.

A few whose providers delivered FE and apprenticeships raised specific challenges around the overlap with other regulations requiring similar data, such as from the Apprenticeship Accountability Framework, Ofsted, the Institute for Apprenticeships, and the Education and Skills Funding Agency. They felt that this added a layer of administrative burden in understanding and keeping track of each of these different requirements.

Issues with data collection

Various confusions or issues over data were raised including:

- Use of historical data.
- Interpreting data.
- How indicators are calculated and judged.
- Issues with partner provider data.

Historical data

A small number felt that the historical data stretched back too far, as the provider may have changed significantly since then and the data would give an outdated view of provision due to a lag in seeing the outcomes of any interventions, particularly in terms of progression.

Interpreting data

Many participants were concerned about correctly understanding and interpreting the data. A few had been unsuccessful when trying to recreate the B3 algorithm in order to forecast future data. This placed uncertainty over what data was being fed into B3 calculations and made them question their understanding. Similarly, a few recalled how OfS data did not match internally held quality data, which prompted queries around validity.

For a few participants from smaller providers, they highlighted specific issues around interrogating the data due to data suppression for small cohorts, which meant they were sometimes unable to interrogate data further and identify areas for intervention.

How indicators are calculated and judged

A few participants from smaller providers voiced concerns that they could be unfairly penalised due to their small cohort numbers meaning a tiny change could result in a larger percentage point change. Although not specifically mentioned in interviews, this indicates a lack of clarity over how statistical uncertainty is used in compliance judgements.

“We have 500 students against universities that maybe have 35,000 students, and we’re all being judged [against] the same criteria. I think the burden on the FE colleges, the regulatory burden is really severe, and just one student can make a huge difference to our statistics and our outcomes. So I just think having a blanket approach – I understand why the OfS has to do it – but I think it can penalise small providers. One student can make a massive difference to our progression data, where in a large institution it probably would be less of a percentage change.”

Group 3

Issues with partner providers

Confusion over data sources was raised by a couple of participants with partner providers. They commented that it was not always clear exactly which data was represented in each provider’s submission or how then to interpret data reports to apportion responsibility and action among providers.

There were also concerns over not being able to quality check data submissions of partner providers, which could reflect badly on a provider where data is presented in the aggregate.

Where have they sought information about B3?

Beyond reading the supporting OfS documentation, many participants had sought additional support from the OfS in understanding B3. This included:

- Webinars.
- A walkthrough navigation of the data dashboards.
- Speaking with or knowing they had access to a named OfS contact.

Many of those who had spoken directly with an OfS contact had found this a valuable experience. Where participants had positive experiences with this support, they had found it helpful to discuss how B3 applied to their provider context, understand the threshold measurements in more depth, and to clarify other areas of confusion.

However, a large minority mentioned that the OfS webinars were not as useful as they could be, stating that they were often too vague, repeating information that was in the written documentation and not having enough space for question and answer. Some of these participants recognised that these were early briefings and webinars, when B3 was perhaps still too new and so there was not enough concrete information or examples to share.

One participant also shared issues with finding information on the OfS website – struggling to easily locate information and finding issues with the version control of documents.

Many participants had sought additional information or support from external sources. This was typically done to gain a collective-mind approach to collaboratively understand B3. A few also felt it removed a fear of this reflecting badly on the provider compared with if they were to seek advice directly from the OfS. Additional sources of support included:

- Academic Registrars Council
- Universities UK
- GuildHE
- Mixed Economy Group
- QAA
- Association of Colleges
- Advance HE

Findings: Self- evaluating compliance with B3

Self-evaluation process

Many participants felt that B3 was helping their providers' continual refinement of what to monitor in their existing quality assurance – saying this had been tweaked and restructured in some cases to match what B3 reports on. For example, looking at different split metrics, pulling in more historical data or using a more risk-based approach to evaluation to help identify target areas for intervention.

“We refer to our activity not as improvement but enhancement. So nothing is seen as the final position, we’re always refining. That hasn’t changed as a result of B3 ... we’ve refined what we’re reviewing in view of the condition but it doesn’t mean we’ve introduced matters that suddenly have come from nowhere. It’s a refinement rather than an introduction.”

Group 2, Majority level 4/5

Many were bringing B3 into existing quality assurance methods, such as:

- Aligning with TEF discussions.
- Including B3 in the risk register.
- Embedding as part of existing KPI monitoring (e.g. end-of-year module reviews on student performance).
- Adding B3 metrics to internal quality dashboards.

The process of self-evaluating B3 compliance varied by provider, but broadly followed a process of starting with a review of data from programme level, identifying areas of good practice and areas for concern, and then passing these up the chain to HE quality managers, academic boards and boards of governors.

1. Initial review of data:

- Who did this varied by provider (often dependent on size) and could be a whole team or one individual.
- Typically falling to roles/teams such as: quality and standards team, planning team, management information system teams, academic registrars, deans, directors of programmes, academic boards, academic standards and enhancements team, vice-chancellors, deputy vice-chancellors.
- Identifying areas in which they are coming out low or below threshold by reviewing the dashboards.
- Many were applying traffic-light colour coding in reporting to highlight areas of concern before sharing this more widely.
- In some cases this review of data was disseminated to programme leads.
- Participants from smaller and majority level 4/5 providers described somewhat more involvement from academic and programme leads in this data-review process.

2. Where action is needed:

- Interrogating the data to see which programmes fall under each category, in relation to which students.
- Looking at qualifications under that and trying to understand the context behind shortfalls, why they may have occurred, with an internal risk-based quality exercise undertaken.
- Putting in place any required interventions.

3. Senior team involvement:

Results of monitoring would pass to the board of governors, academic boards, committees and other executives to consider and determine necessary steps, scrutinise actions and assess where additional resource may be needed.

4. Wider communication:

- Sharing data from this review and any required actions with teams not already directly involved in self-evaluation, but who need to be informed of future action, such as SMT, academic boards, boards of governors and validating partners, as well as academics and programme teams to show areas that need focus, current performance against B3 and other quality measures.
- A few participants spoke of wanting to see academics/course leaders taking a more ground-up approach to the data and evaluation, as this may help embed B3 as part of their continual improvement plans.

What works well in the self-evaluation process

For most, the process of evaluating their B3 compliance was felt to be aided by their familiarity with the metrics focused on. Providers were already monitoring continuation, completion and progression in some way and so B3 was not requiring them to introduce whole new processes. Many, particularly in Group 1, described how they had simply tweaked existing processes to more closely mirror the language and data required for B3.

A large number described how introducing B3 as part of their existing quality monitoring had been useful in allowing them to see clear top-level statistical thresholds and benchmarks, while adding another dimension to internal tracking. Many felt this had helped them to easily identify and home in on areas for improvement – using B3 alongside existing quality measures and their own knowledge of the context of their students and programmes.

“That is a very clear metric for us to keep an eye on. You can talk qualitatively about processes, and trust me, I can do that, but sometimes having those very clear headlines that we know externally the benchmark does help us. Then if we want to set higher benchmarks for ourselves or want to look at the sector relevant to what we’re doing we can add that on but it is quite easy to demonstrate that we’re achieving what we want to and to show that to the board and also demonstrate it internally.”

Unclassified Group

A few also described success with the collaborative approach they had taken to evaluating against B3. Bringing together teams into a shared understanding and evaluating collaboratively by bringing multiple roles into the discussion had helped them to create a shared provider response and ownership of any actions needed.

“What went well was getting everyone together, explaining and breaking down how OfS regulation impacts HE, and sort of highlighting and sharing the good practice we have within our teams around the B3 indicators to make sure that if one course or one area is doing something around continuation or graduate attributes that then leads to graduate outcomes and things like that, that it doesn’t just exist in isolation. It becomes a whole-provider approach. That’s what we found was really good in doing that.”

Group 2, Majority level 4/5

Many described how the process was aided through the use of OfS data dashboards. Perceptions of their usability was variable, often depending on the respondent’s role and level of data specialism, but most saw real value in being able to interrogate their data further to understand where action may be needed. Having this information in a clear, accessible place for people from all roles to interrogate further was felt to contribute to the shared provider response.

“The dashboards were clear, effective in conveying the messages, and easy to navigate. I think the OfS did a reasonable job in the production of those dashboards, making them easy to access. And you didn’t need a specific level of statistical capability in order to be able to better understand those.”

Group 1, Majority level 4/5

Challenges and barriers in the self-evaluation process

As raised with understanding B3, challenges in the self-evaluation process mostly related to resourcing, particularly for smaller or majority level 4/5 providers whose attention was split across multiple regulators, for which there could be overlapping yet subtly different data requirements. With HE forming a smaller proportion of provision for some of these providers, it could be deprioritised in terms of resourcing.

“One of the challenges for us is... all colleges will say the same... our HE provision is a small part of what we do. So we have about 800 students on HE and that’s prescribed and non-prescribed HE. It’s getting that across. The resource we have is limited. We’ve been really lucky that we’ve strengthened our governance, i.e. we’ve got people from HE backgrounds who hold us to account and that’s really helped. But I think for us it’s about the capacity inside the college to be able to deliver all these conditions and what we’re saying as well is there’s lots of duplication because we report to the ESFA as well.”

Group 1, Majority level 4/5

A few participants spoke of reporting internally on their performance against B3 running the risk of feeling like a tick-box exercise – taking time and resource away from actually delivering positive outcomes. In line with this, they could find it challenging to set the tone of internal B3 communication to position it not as a punitive exercise, but one truly aiming to effect positive change.

“Of course the day job is the thing that really makes a difference to our students because that’s where I am working on things that will improve quality, rather than telling the OfS how I am improving quality. So it can be a little bit frustrating.”

Group 1, QI less than £100m or unknown

Beyond this, several issues were flagged with data in their self-evaluation process, which mirrored general areas of confusion:

- Being unable to recreate data algorithms.
- Dashboards lagging or not seen as user-friendly.
- Complexity of statistical language.

Findings: Actions as a result of B3

The extent to which B3 has encouraged providers to take action

The extent to which actions have been taken as a result of the revised condition B3 was notably varied in the sample. As discussed earlier, the area in which there had been the clearest, direct action as a result of B3 was around quality and monitoring activity. However, many participants highlighted further actions taken by their providers relating to:

- Strategic direction.
- Course portfolio and academic offer.
- Teaching and learning provision.
- Pastoral offer.
- Student recruitment.

The changes discussed ranged from being considered a direct result of B3, to having little or no influence from the condition, with most participants describing B3 as one of a number of supporting influences that had driven change. The effect of the pandemic, the cost-of-living crisis and internal financial considerations were all seen as significant instigators of change which, at times, participants found hard to distinguish from the effect of B3.

Consequently, B3 was often considered to be a ‘catalyst’ for pushing forward changes that had been prompted by other factors. As well as being a driver of change, it was often seen as a means by which providers could take stock of their current practices and provision. One participant described it as a ‘health check’, providing a data-driven framework for identifying areas of success, as well as areas for improvement.

“Since B3 has come to the forefront, and this isn’t saying we’ve never concentrated on this, but we’ve probably spent a lot more time and effort on it than we used to, and that is the development of our graduate outcomes and our employability skills. That’s not saying we weren’t doing it, but we probably didn’t have a strategy for it beforehand,”

Group 2, Majority level 4/5

Metrics around ‘progression’ in particular were seen by many to indicate a clearer focus on employability within education, making more explicit the links between teaching and learning and specific occupations. However, as raised previously, both the methodology and perceived intention behind the ‘progression’ thresholds was an area in which participants mentioned particular challenges – citing institutional and qualification-based intricacies that they felt could unduly disadvantage certain types of providers, as well as the perceived narrow definition of what constitutes ‘positive outcomes’ for students. A small number of providers cited this as a reason why they did not take action in response to low performance against the progression thresholds.

One of the clearest cases in which a small number of participants felt B3 could lead them to change their strategy was if it affected their reputation as a provider. This may have been exacerbated by the lack of clarity a large minority within the total sample felt around the consequences of being judged as below threshold. Though most participants were doubtful that students would visit the OfS website to review a prospective provider’s performance metrics, the publication of providers facing investigation could garner wider media coverage, which some felt could affect student recruitment. In the event that a provider was to be announced as being under investigation, this small number of participants felt it may prompt them to review their own strategies.

Changes in strategic direction, course portfolio and academic offer

There was notable division in the extent to which participants had seen or anticipated effects on the strategic direction of their provider as a result of the revised condition B3.

Cases where B3 had little to no effect on strategy and course provision

A large minority anticipated little to no effect on their strategic direction and course portfolio. These participants fell within two categories:

1. Those who felt that, due to their provider’s fundamentally student-outcomes-driven approach and the consistent monitoring activities undertaken to ensure this, their priorities and resulting actions remained the same. A few within this group also regarded B3 more as an opportunity to evidence their adherence with these requirements, rather than change their provision.
2. Conversely, there were also a small number who felt that any actions taken at the direction of B3 would go against the overall character and mission of their provider.

Many in the first group, all of whom belonged to universities, mostly within Group 1, stated that delivering positive outcomes had always been at the heart of their mission as an education provider, meaning B3 had not changed their strategic goals. A few stressed that the internal thresholds they already used to judge performance in these areas were higher than those outlined by the OfS. In these cases, B3 was a source of reassurance – reaffirming current strategies rather than highlighting areas for review.

The small number of participants in the second group represented more specialist or vocational providers, with an agenda of widening participation. Participants used the term ‘widening participation provider’ to refer to those with a particular strategic focus on widening participation and a large proportion of students who – for personal, social or economic reasons – may face barriers to participating in HE. Participants who characterised their providers in this way were more likely to be in threshold Group 2 or 3 and were most likely to raise concerns with the ‘progression’ metrics. This was the area in which they were more likely to find themselves at risk of falling below the threshold, for reasons they saw as unavoidable.

Issues with the ‘progression’ metrics were particularly noted by participants in regard to courses within more creative, land-based or care-oriented subjects, which often require degree-level qualifications, but may not lead to recognised manager-level roles. A small number of participants provided examples of this around agricultural and care-based roles and, in such cases, they attributed their provider’s low performance against the threshold not to a failing of provision, but a limitation in the B3 scope of occupations that would be counted as positive outcomes for their students. In these instances, participants were aware and understood the occupations that would always count as positive progression outcomes within B3 definitions, but did not agree with the scope of occupations included.

A large minority of participants, across threshold groups and provider types, also raised how students’ reasons for undertaking a course may not be strictly employment-related. This was seen to pose a possible tension between what students want and what providers feel they are being directed to offer, in instances where students undertake a course with other motivations including gaining confidence, social connection, exploration of interests and enjoyment. While many were aware that the OfS would contextualise providers’ performances against B3 in light of such factors, some participants said they had been told by the OfS that they could face further action, even though they had brought this issue to their attention previously.

“I think as a specialist provider and as a provider who also wants to ensure access, we need to be careful of that as a sector, that we don’t end up culling courses or getting rid of programmes that offer something that may not be clear against three very specific numbers. There are other things that some courses offer to society and to the individual student who is taking them that might be outside of those three measures.”

Group 3

Consequently, participants that fell within this second category felt that adhering to these progression thresholds would mean going against the interests of their students and, by extension, the financial interests of the provider. A few participants, including those who did not believe themselves to be at risk of falling below any thresholds, were wary that this means of regulation could lead to providers “chasing outcomes” over and above what they felt was in the best interest of their learners. Therefore, a small number of participants anticipated a reclassification of occupations considered to be ‘positive outcomes’ to include a wider range of skills and sectors, especially those in which there may be shortages. However, in the short term, this translated into the decision not to review their strategic direction or course portfolio in light of B3, as they felt this would be conforming to the specifics of B3 – which they believed were likely to change – while undermining its ethos of providing positive outcomes for students.

“We might have to think more carefully about the full-cost courses that we offer because again are they going to contribute to us getting good graduate outcomes or are they what our students want? That’s a trade-off that we’ll have to consider.... So I suppose we would just have to stand our ground and say that this is not what our students want and we can provide evidence that it isn’t what our students want. It’s perhaps going to be a change there, because there’s a big emphasis on skills for specific jobs now. Our apprenticeship provision is growing rather than our full-time provision because we recognise that we want to get people into local sectors where there are skills shortages... I think perhaps probably it will be reclassified professional occupations, they’re just going to have to be reclassified with the new government focus on specific skills and sector shortages. It makes no sense, the government is saying one thing with one hand and then another thing with the other... So colleges can’t rationalise, we have to be market driven, we have to be customer driven, if that’s not what the regulators want, I think that’s up to the regulators to discuss with the government.”

Group 2, Majority level 4/5

Changes to course provision as a result of B3

Many participants, most notably from FE providers, cited instances where B3 had been discussed in reference to alterations in their course provision – a large minority of which had already made changes to their course portfolio. This was largely characterised as a movement away from providing creative courses and towards more vocational courses, due to some creative courses being less explicitly vocational or linked to occupations in the creative industries that are seen as less secure (i.e. artist, actor, writer), where it may take graduates a longer time to establish a career. While such changes to course provision had already taken place at a small number of providers, it was rare that such changes were attributed directly to B3.

A large minority of participants noted that courses may also be closed or altered if no longer seen as financially viable, or would have been withdrawn if they were not seen to be providing positive outcomes, irrespective of B3. In such cases, B3 was used as a tool for measuring the health of courses, indicating where there may be areas for concern or more fundamental issues that mean the course is no longer feasible for the provider or providing value for their students. While participants often noted that these issues would have been apparent regardless, many felt that B3 could provide clarity, by creating clear expectations that aid decision-making.

“The only thing that I would look at in terms of the programme going forward, if we have a particular programme where there is a high dropout or students are not completing, then we would look at that programme and look at the impact they’re having in our B3. [...] and those students either didn’t enjoy it, or it wasn’t what they wanted to do, and they’d drop out. So we made the decision last year to take it out of the portfolio, because it wasn’t fit for purpose. But yes, if any courses are impacting on our B3, they would be classed as a high-risk course... Recruitment was a factor, but the lack of continuation of the students, the lack of completion of students was definitely a factor.”

Group 3

Similarly, a few participants noted that B3 would discourage them from offering some new courses if they felt they would not perform well against the condition. However, they also noted that they would be unlikely to offer new courses they did not feel would perform well against those metrics anyway, as this would be flagged in initial course reviews.

Moreover, we heard how providers often noticed a broader shift towards employability within education that was reaffirmed by B3, but could not be solely attributed to it. FE colleges in particular saw responding to local skills gaps as an essential part of their offering, often already having links with local employers.

Where participants directly linked B3 to changes in their provider’s course offering, this was again largely attributed to the ‘progression’ metrics, which had led some providers to align their course provision more closely with specific occupations. In some cases, this involved providing courses that matched industries and skills shortages in the local area. Small to mid-sized FE providers in particular felt it was their responsibility to provide training that linked to available roles in the region, as their students were predominantly local or mature learners, undertaking shorter courses to retrain in a new field. However, this learner type was seen to present additional vulnerability for providers, when reviewed against B3, for reasons explored in a later section in relation to student recruitment. The

small number of providers that noted specific courses had been removed in response to a fall or already limited demand for those skills in the area stated that B3 factored into those decisions, but was not a direct cause.

“I think B3 does come into it, but it's not explicit. We don't sit around going, ‘oh, well this course affects B3’ – it's just student outcomes is a key part of the justification. It's about saying ‘well, you know, there's a skills shortage in digital, there's a need for data analysts, we've got the resource and can deliver it’. And then it's about how we deliver it in a way that we get the numbers and the success rate.”

Group 1, Majority level 4/5

Moreover, these same participants were also likely to highlight how B3 had encouraged them to pursue courses for which they could guarantee a larger cohort. Many expressed concerns that in the case of subjects or courses with a smaller cohort, extenuating circumstances for certain students – good or bad – could have a significant effect on their performance against B3 for that course. There was a perception that this would disadvantage smaller providers whose performance against these metrics would appear more volatile, for reasons they may have no control over. For example, where students experienced personal issues that prevented them from continuing on the course (e.g. health or financial difficulties) or had secured employment earlier than expected. While no participants directly linked the closure of any courses with small cohorts to B3, this was cited as a consideration when courses were internally reviewed, as such courses were seen as more ‘vulnerable’ to sudden drops in performance against the B3 benchmarks. However, it was noted that courses with low uptake would be interrogated regardless, to uncover the route of those issues and take any necessary actions.

“I think the main focus for that is on the progression and the graduate outcomes. So we've already started, as part of our approval process, using the SOC, Standard Occupational Classifications, to question what are the occupations and the levels within those occupations the student would be expected to exit into after the degree. So whereas in the past... We wanted to ensure that students were going to be employable, but we have now started thinking about specific role types and are those role types within the classification of a positive progression using B3 metrics.”

Group 1, Majority level 4/5

Changes in teaching and learning and pastoral offer

Most participants described B3 as having some degree of influence on teaching and learning and pastoral provision at their provider. This could vary from specific initiatives and forms of support offered to students, to broader changes to how they identify and address possible areas for improvement.

A small number of participants described specific initiatives around student support that had been undertaken as a direct result of B3. These participants were from mid-sized colleges that had introduced policies to identify students at risk of non-completion and put in early interventions to support them on their courses. However, while almost all participants had introduced additional support over recent years, most described these changes as being somewhat reinforced by B3, rather than as a direct result of it, with the effect of Covid also being a significant factor.

Where providers sat against the thresholds seems to have had a bearing on what actions had been taken in this area, as explored below.

Actions supported by B3

Group 1 providers in particular described B3 as having some degree of behavioural or operational effect.

- Many participants described B3 as having allowed them to take a more data-driven approach to identifying both best practice and areas of concern in their teaching and learning provision. In particular, one participant noted the role of split indicators in identifying specific groups of students who may require additional support.
- A few participants noted how B3 could also be used for reviews of pedagogy, both in the sense of seeing how students fare with different delivery modes (particularly in light of transitions to online learning) and adapting methodologies to meet areas where more support may be required.

- In some cases, B3 has also prompted a refocusing of efforts within institutional careers and employability services – dedicating more attention to supporting students with entering managerial-level roles or further study, which would count positively towards their progression metrics. This involved greater focus on support post-qualification, as well as linking skills development with the requirements of more specific occupational fields, including increased attention on the development of graduate attributes frameworks, detailing specific skills for focus.

One participant from a Group 3 specialist provider also highlighted how B3 had made them somewhat more ‘risk averse’ when it came to innovations in pedagogy, as adjustments to style and delivery may cause initial disruption within the data. While this more ‘stringent’ approach was not explicitly regarded as negative, where successful approaches from other courses could be used to reduce initial disruption for students, increased risk-aversion was also raised in relation to other areas of B3, discussed later under ‘Negative effects of B3’.

Another of the actions raised by participants was the additional academic and pastoral support offered to students. While participants did not attribute these changes directly to B3, again seeing the condition as creating greater impetus behind the initiatives, rather than instigating them, Group 2 and 3 participants were more likely to have brought in this more dedicated support for students:

- Academic or ‘success’ coaches were increasingly common within providers. Participants described these as helping students adjust to HE and continue their academic development, as well as addressing additional teaching and learning concerns.
- In a few providers, students were given access to life coaches, who could provide more holistic pastoral support, as well as career planning. These were seen as helping identify and support on wider factors that may prevent students from being able to continue on or complete their course.
- One participant also noted that they had introduced an employability skills team specifically for their HE provision.

“It [B3] has made us look more carefully at our operation activities that we have with our applicants and students, and all students in that first year. So for example [...] students who have studied for BTECs and other vocational courses above A Levels, and we’ve really looked at that and understand better that they may struggle more than the A Level students who meet the academic rigour that’s needed in that first year. So we have put into place some [...] specific support plans for particular groups of students. Another group would be the mature students, so we have noticed on our data that our mature students don’t have the same continuation rates, so that’s made us think about where we house them, for example, and what extra support we can give to them.”

Group 3

“The other thing that we have for students coming in at Level 3 or 4, so foundation year or first year, we have academic coaches that we have bought in which are personal tutors-plus in a way. So they are always available to students, they don’t do any teaching, they don’t do any research, which is the problem we found with personal tutors, because they would quite rightly be teaching and doing research but they weren’t always there for the students when they needed them. So we brought in academic coaches as a way of helping that transition into higher education and getting them through the first year and helping that transition into Level 5, to then become more independent learners at Levels 5 and 6 with an academic personal tutor. Again, we’re looking at how effective that academic coach role is in relation to the B conditions and we have done quite a large evaluation on how that is impacting on continuation and completion as well. So yes, it is having an impact.”

Group 2, QI £100-200 million

A small number of providers also described plans for early interventions in the case of students who appeared to be at risk of not completing. This could involve looking at student attendance, assignment deferrals and extenuating circumstances processes, which one provider had brought under central oversight. The aims of these interventions were to identify possible barriers to success, address the need for additional support and, in the extreme, withdraw the student at the early stages of their course (prior to their being counted within the metrics, from November). A small number of participants had already brought in these early-stage support interventions, with one provider

having specifically highlighted student withdrawal as the last resort of their institutional policy, when earlier efforts had failed, though they did not describe any cases where that had yet been necessary. However, a few participants were concerned that actions such as these where early interventions form part of stricter policies governing the allowances that can be made to students – which they felt B3 would encourage, could undermine a provider’s ability to provide students with flexibility on their course. One participant observed that this drive to keep course completion within the timelines set out by B3 could be at odds with the flexibility they felt students increasingly expected from post-pandemic education. A few participants were wary of keeping students on courses, or setting completion timelines, where this could contradict their more holistic needs. It was an area in which they saw a tension between the best interest of students and the requirements of B3.

To what extent actions are a result of B3

As stated, participants largely did not attribute these teaching and learning and pastoral actions solely to B3. However, many identified B3 as a ‘catalyst’ that provided greater impetus behind these actions, which were often already being developed. By introducing specific thresholds, B3 was seen to sharpen the focus on the need to address any areas of concern in a timely manner.

Many participants also mentioned the TEF when discussing actions taken by their provider, with many finding the distinction between action taken in response to the TEF and B3 to be blurred. While these participants recognised what sets them apart, they considered the driving force behind them, their data-driven approach and their focus on improving teaching and learning to produce aligned responses. A small number of participants also referenced a crossover between support provided as a response to B3 and their Access and Participation Plan and a broader difficulty in distinguishing their responses to B3 from other regulatory requirements. A small number of providers also noted that as the TEF and B3 have prioritised similar areas, and with the TEF being seen as more established and embedded within their provider, it was sometimes regarded as a more ‘visible’ driver of change. The pandemic was often noted as a factor that highlighted the need for more dedicated teaching and learning and pastoral support, considering the necessity to adapt to new teaching methods and the effect on students’ mental health. As a result of the monitoring activities that providers were already undertaking, initiatives were generally already in development to address this need. However, a large minority of participants felt that B3 has provided a framework to evaluate the success of these initiatives, by framing them against the continuation, completion and progression thresholds.

“it’s not that we’ve suddenly introduced a whole new [coaching] role in response to these data sets but thinking given that we have seen this and we have got this completion data it has shaped how we’re developing those roles. So it has maybe adjusted some of our plans rather than we have got a whole set of new plans in place as a result.”

Group 2, Q1 over £200 million

Changes in student recruitment practices

The potential effects of B3 on student recruitment were seen as twofold. On one hand, a few participants felt it would affect the number of students applying to their provider. On the other hand, it could be seen to affect the students that providers accept onto their courses: both in terms of entry requirement and cohort sizes.

A few participants felt that negative perceptions arising from a provider being put under investigation would adversely affect student application rates. A small number of participants feared possible reputational damage, which one was concerned would “feed through into league tables”.

A small number of participants were largely dismissive of the effect of B3 on the number of applicants, even if their provider was found to be below threshold. One FE provider noted that, as their students are typically local and would not be considering higher tariff providers, they would not anticipate any negative publicity as a result of B3 to have a considerable effect on applications. They felt that, due to their student demographics and characteristics associated with an agenda of widening participation, potential applicants were more likely to have multiple responsibilities (i.e. work, childcare), meaning shorter, flexible, local courses would best suit their needs. However, reputational damage was regarded as more of a threat by university-based participants, whose students are typically less local and therefore more likely to be weighing up competitors across several aspects, including reputation.

Again, it was participants from providers with an agenda of widening participation who were most likely to raise concerns about the effect of B3 on deciding which students were accepted onto courses. For the same reasons that some students may be best suited to FE course provision, they felt these students could appear to be at greater risk of dropping out of their courses, consequently affecting continuation and completion metrics. Particularly in the case of smaller providers, with smaller cohort numbers, this could deter providers from 'taking a chance' on these students.

"We view ourselves as widening participation and kind of a second chance for people, but when you're measured so closely on outcomes, we need to start thinking more closely, 'well, do we give this person a chance, do we take the chance and then take a hit on the stats. Or do we play it safe?' And I think that is a big decision for us."

Group 2, Majority level 4/5

While many participants spoke about this issue in theory, only a few highlighted specific actions they had taken to minimise the risk of drop-out, with one provider having raised some of its course-entry requirements. A small number of participants from FE providers described discussions around making entry requirements for their courses more stringent, particularly in relation to requiring a GCSE in maths and English. However, this was also attributed to factors outside of B3, such as standardising their course requirements. One participant noted that they had standardised their interview process for prospective learners to a points-based assessment. However, another highlighted their concern that actions like this could create barriers for mature learners returning to retrain, who often did not possess these qualifications but formed an important part of the widening participation agenda.

"As an FE college, we are historically a 'widening participation provider' in terms that we have a lot of non-traditional HE students... we have made some strategic decisions over the past three or four years, and it's not all B3 related, but some of it is, where we've chosen to change entry requirements, to remove provision, to be stricter in the students we take on because we've been thinking about how we are measured for things like condition B3."

Group 2, Majority level 4/5

Findings: Effects of B3

Positive effects of B3

The key positive effects of condition B3 outlined by participants included:

Solidifying and clarifying expectations

Many participants saw value in how the revised B3 conditions provided a standardised framework of requirements throughout the HE sector. This was seen to offer greater scope to view their provision alongside other providers, helping to identify their strengths and where they may fall behind. Many providers had restructured their internal quality monitoring processes to reflect B3 requirements. Most saw B3 as beneficial in terms of how it encouraged them to consolidate sometimes disparate sets of data, improving clarity and focus. This was seen to create a clearer framework within providers for identifying best practice and areas of improvement.

Aiding internal communications

This clarity was not only seen to benefit those actively involved in quality activity, but also to aid communication of standards within providers, among colleagues at both executive and academic level. Using B3 as a vehicle to communicate expectations internally was seen by many as a means to both embed and drive up standards. They noted that this also allowed quality teams a degree of distance, by formalising the process of bringing potential problem areas to the attention of course leaders. In this sense, it was sometimes described as a 'stick' that quality teams could use to convey the importance of monitoring and quality-improvement initiatives.

"It's not difficult now to get people to sit up and respond to these things because it's a regulatory matter now, so I think it is great."

Group 3

Enabling targeted, data-driven interventions

This perception of B3 as a framework by which providers could evaluate their provision was seen by many participants as a means to generate data-driven interventions. By utilising the OfS dashboards and split indicators, providers were able to isolate issues in order to develop targeted interventions. This was seen as particularly valuable in identifying specific student types or subject areas that may require extra attention and support. Moreover, the additional focus placed by the condition on employability was seen as beneficial by some participants, who felt it reinforced their institutional efforts to this end.

"I think it has made us look at courses that are fulfilling the need of the local area but equally it's made us review the provision here and consider whether the students are getting good value for money and whether the courses are preparing them for being job-ready. That's probably one of the most significant impacts of B3. I think it makes you look at your practices to ensure that students are kept on programme and complete the programmes and what measures you need to implement in order to support them."

Group 2, Majority level 4/5

Evidencing good provision

Where providers did not have concerns around falling below thresholds, they often still saw value in how B3 offered a means of evidencing their compliance with sector standards. This provided a source of reassurance where current strategies were seen to provide positive outcomes, but was also considered a way of communicating high-quality provision to employers and prospective students.

Reaffirming focus on student outcomes

While participants stressed that ensuring positive outcomes for students has always been an essential consideration, many saw B3 as a confirmation and endorsement of these priorities. For example, while employability was already on their agenda, the understanding that providers would be judged on their ability to provide positive employment

outcomes was seen to encourage greater focus on this objective. This aligns with a common theme throughout the research, that while B3 has not fundamentally changed the objectives and priorities of providers, it has provided impetus for directing resourcing to efforts in these areas – as well as a way to measure success.

“I think it has made us think both operationally and strategically, strategically from my perspective about how we operate – some of our data management, our quality processes – and it has given us a clear direction: this is what we’re working to and we know we’re working to that. It’s not unclear in that sense: this is what you have got to do and you’ve got three measures. So from that perspective that is clarity, I don’t know if everybody else is quite interpreting them that way.”

Group 3

Negative effects of B3

Participants also outlined negative consequences they had seen or anticipated as a result of B3:

Discouraging widening participation

As outlined previously, many participants felt that B3 could have a negative effect on widening participation, with a perception that it could discourage providers from taking on learners who may have begun with a lower level of qualification or may be at higher risk of dropping out for a variety of personal or financial reasons. A few participants also mentioned an impression that the continuation and completion calculations could restrict their ability to offer flexibility to their students, by implementing a stricter timeframe that made them more wary of offering extensions or deferrals. This was seen as having a greater effect on students balancing multiple responsibilities alongside their studies, potentially undermining a provider’s ability to cater to individual students’ needs. A small number of providers had already begun to review their entry requirements and discussions had taken place around being more ‘stringent’ with the learners they accepted, especially on smaller courses where individual circumstances and decisions would have a larger bearing on the provider’s B3 data. There were fears that this could undermine social mobility and restrict opportunities for those who would otherwise have benefited.

Restriction of course portfolios

By extension, a large minority feared that B3 would encourage providers to close courses that may be underperforming against the metrics yet still offered valuable outcomes to students. While many participants felt that the intended aim of B3 would be to root out poor-quality courses, some feared that this may also encourage certain risk-averse providers, potentially including their own, to close courses rather than seeking to understand and improve areas of underperformance. This was seen as an unfortunate but logical step that providers might take, and on some occasions had taken, to avoid non-compliance. This was a particular concern for providers offering courses in land-based occupations, care-related fields or other vocational areas that may not provide outcomes recognised in the current progression metrics, but do provide skills that are highly sought after and essential to local economies. This links to the concern of a small number of participants that progression calculations within B3 do not recognise the value of less tangible positive outcomes of studying, such as gaining confidence, social connection, experience and skills that may not link directly to employment or further study.

Wariness around entering partnerships with other providers

Participants from both large universities and smaller FE colleges expressed concern around the effect of B3 on partnerships with other providers. Where FE providers rely on a validating provider to be able to offer a given course, there was concern that, while their agenda encouraged them to shoulder the risk of accepting students with characteristics associated with widening participation, universities could be discouraged from entering such partnerships for fear of negatively impacting their B3 data. One participant had witnessed this scenario, though this was based on anecdotal evidence rather than a first-hand account. Similarly, there was concern that partner

performance would reflect badly on provision that providers have little to no control over. One participant felt that association with providers that may underperform against B3 metrics carried an additional risk. It was felt that this created anxiety for providers for whom the power to improve their B3 metrics was not solely in their hands and, due to the publication of dashboards and provider investigations, this could create reputational damage.

“In terms of our context as a college, our awards are validated by universities. We’ve found it very problematic because of our sector conversations that we hear. So providers... I won’t name them... that we talk to... they’ve got really good provision... I mean outstanding provision for all the metrics... and the university have closed it, as in the college has got no way... because we’re the sub-contractor, we can’t go back and argue and say, ‘well, actually’... because numbers are small, for example, is their argument in a lot of cases. But actually, for those students, social mobility and outcomes is actually really positive. So why would they close that? So the power isn’t in our hands which is a massive problem in terms of the portfolio. In the back of my mind, that’s one of my worries that our partners could potentially do and they seem to be doing it across the sector quite quickly. I think the OfS have done some kind of response into that but I worry, if the metrics are the other way for a provider and it is a franchised programme, that actually it could be just closed overnight and that’s how universities are dealing with things.”

Group 1, Majority level 4/5

“It does make us more wary of collaborative partnerships... because of the impact of those collaborative partnerships going wrong, then has an impact on our institution at a greater level than it would have done previously.”

Group 2, QI £100m-£200m

Increased risk-aversion stifling innovation

A common consequence of B3 raised by participants was that it had encouraged them to be more risk-averse. In one sense, this was considered in terms of discouraging providers from offering new courses, as it was felt that teething issues in early stages could have a lasting impact on their B3 performance. For similar reasons, participants stated that they were less likely to explore new pedagogical methods or experiment with their course design. This wariness to upset the status quo was seen by some providers to stifle innovation in education, as the consequences of being found to be below thresholds were seen to be too great.

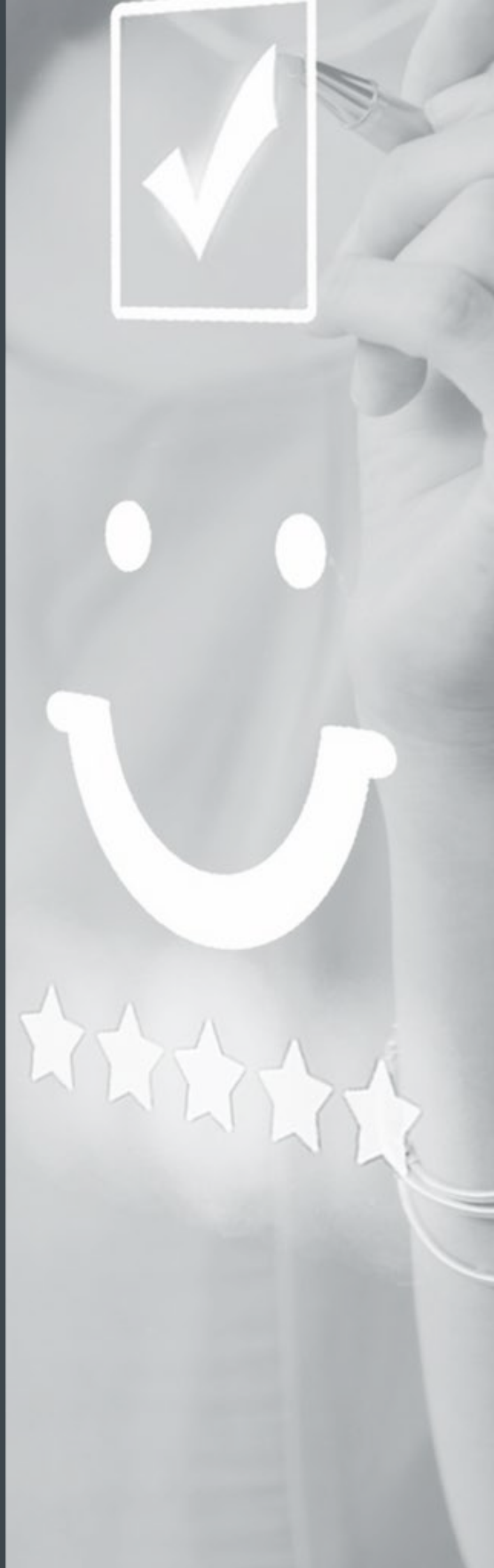
“Risk averseness is not always good for innovation, whether that be different forms of delivery, etc. Also, a focus on targets and lead indicators does also stymy some considerations of innovation as well. So if we’re trying to make sure that we have good progression and we take it all the way down to pass rates on modules, then people are less likely to do radical things in case it causes problems on their module results.”

Group 2, QI £100-200 million

Resourcing costs of increased focus on regulation

A prevalent theme among participants was that B3 put a demand on resourcing. Participants from smaller providers found the administration involved in B3 to be particularly challenging, as they were much less likely to have dedicated teams who could take the time to understand the condition and conduct the self-evaluation. Some providers only had one individual who was in charge of responding to B3 at the provider, amongst other responsibilities. FE providers also highlighted that they had multiple regulators, due to their more varied offering, which divided their attention. Difficulties processing long and complex documentation around B3 was seen to add to this resource burden. As well as causing additional pressure within providers, this was sometimes seen to divert attention from teaching and learning and other initiatives that providers feared would be deprioritised as a result. This was considered both in the increased time spent on quality activities, but also in how certain providers might need to bring on additional administrative support, at the expense of the provider, redirecting finances away from teaching and learning and pastoral resources. This was considered a logical and inevitable opportunity cost, as budgets are finite.

Conclusions



Conclusions

This report has outlined findings from 40 interviews conducted with representatives from HE providers in England, looking at their understanding of the OfS's revised condition B3, how providers have gone about self-evaluating their performance against the continuation, completion and progression thresholds, and what actions providers have taken, or are likely to take, as a result.

Participants broadly understood and agreed with the aims of the revised condition B3, seeing it as having had some positive effects on their provider. These effects range from being seen as a direct result of B3, such as the restructuring of quality monitoring processes in line with its definitions, to being somewhat influenced by the condition. The most common scenario was that B3 was not seen to have prompted a significant redirection for providers – strategically, operationally or behaviourally – but that it was regarded as a ‘catalyst’, adding impetus to quality and improvement initiatives that were already underway. For example, the introduction of additional academic and pastoral support through more focused attention on generating occupation-specific skills, as well as the introduction of academic and pastoral coaches to offer students more tailored support.

More broadly, B3 was seen to impact positively by providing a framework for identifying areas in which more support for students would be required, while evaluating the success of current methods, for which split indicators could be used to develop targeted responses. Among a smaller proportion of participants, B3 was also regarded as a catalyst for the withdrawal of courses seen to be underperforming, no longer meeting the needs of learners, or not providing skills that linked to regionally available occupations, as well as prompting some providers to review their course-entry requirements.

Perhaps the most significant positive effects outlined by participants related to improving clarity and focus within institutions by solidifying expectations and providing a standardised framework for identifying and targeting areas for improvements and best practice. This was also seen as valuable in communicating and embedding quality standards internally, by placing them in the context of sector expectations.

However, many participants raised potential negative effects of B3 which, in a small number of cases, had already started to affect providers. It was sometimes seen as a ‘blunt tool’, not catering to the diversity of students and providers in the sector. The perceived standardisation it creates, which many saw as positive, was sometimes construed as a ‘one size fits all’ approach that disadvantages some providers and, by extension, their learners. Moreover, while participants were aware that the OfS intends to contextualise providers’ numerical performance against B3, some felt that there was a lack of transparency and clarity around how this would be done, which undermined trust in this process. FE colleges, as well as small and specialist providers, were seen to have been most adversely affected by the condition – a perception among these providers themselves, as well as other larger providers – as the resources they could devote to understanding, self-evaluating and responding to B3 were more limited. They were also more likely to have students with characteristics associated with widening participation or that, due to their field of interest, were assumed to be less likely to count positively within progression metrics. Those in land-based and care-oriented courses were felt to be particularly overlooked within the current progression calculations, feeling this did not represent the positive outcomes that these courses afforded students, as well as the contributions that they make to society.

Furthermore, there was concern that conforming to the requirements of B3 could lead to several unintended consequences, including stifling pedagogical innovation and making providers more risk-averse in their recruitment approach, which could make them less likely to grant opportunities to those who had the most to gain from HE.

In summary, most participants appreciated the intentions of the revised condition B3 and the framework it provided; however, not all felt assured that it would create greater fairness and transparency within the sector at present.

Appendix

Part 1. Further breakdown of the interview sample

Participant roles	
Academic Registrar / University Secretary	12
Head / Director of Quality and Standards	12
Dean of Students, Student Data Lead, Head of Student and Academic Services	5
Vice Principal / Deputy Principal	4
HE Manager / Head of HE	4
Head of Academic Performance / Pro Vice Chancellor Academic	3

Table 3: Participant job roles

Participant regions	
East of England	3
London	9
Midlands	6
North East and Yorkshire	8
North West	3
South East	4
South West	7

Table 4: Participant regions

Part 2. About the report

Table of abbreviations	
ESFA	Education and Skills Funding Agency
FE	Further education
HE	Higher education
HESA	Higher Education Statistics Agency
IMD	Indicators of multiple deprivation
KPI	Key performance indicator
OfS	Office for Students
SOC	Standard Occupational Classifications
SMT	Senior management team
TEF	Teaching Excellence Framework
QI	Qualifying Income

Table 5: Abbreviations used within the report