

Summary of sector responses to Eligibility Consultation paper

Purpose

This provides a summary of sector responses to the Eligibility Consultation paper produced by the Performance-Based Research Fund (PBRF) Sector Reference Group.

Note: The Tertiary Education Commission and the Sector Reference Group makes no claims about the accuracy or appropriateness of any of these sector responses.

Introduction

The Eligibility consultation paper discussed issues and concerns about eligibility in the PBRF Quality Evaluation. It considered some options for addressing these concerns and invited feedback from stakeholders in the tertiary education sector on the options and recommendations of the Sector Reference Group (SRG) presented in the paper.

It was approved by the PBRF Sector Reference Group at their meeting on 7 November 2008. Sector response to this consultation paper was invited through the Tertiary Education Commission (TEC) web site from 14 November 2008 to 30 January 2009.

A total of 23 responses was received. The respondents are listed in the Appendix.

Organisation of summary

The summary has been organised into the following eight parts, based on the responses to questions asked in the feedback template:

- A. responses to the first question asked in the feedback template ("Is the current eligibility criteria well understood by staff members and TEOs")
- B. responses to the second question asked in the feedback template ("Would the changes to the guidelines suggested in section 6.1.3 of the consultation paper provide greater clarity about the eligibility criteria?")
- C. responses to the third question asked in the feedback template ("Would a sector-led audit/a more rigorous audit provide greater confidence in the quality evaluation?")
- D. responses to the fourth question asked in the feedback template ("Should the eligibility criteria be changed to make specific groups of staff PBRF-ineligible (teaching-only staff, research-only staff, postdoctoral fellows and staff who teach predominantly at sub-degree level)")
- E. responses to the fifth question asked in the feedback template ("Which of the options discussed in this paper would be the best means of determining eligibility")
- F. Miscellaneous comments

**Part A: Responses to the first question asked in the feedback template
“Are the current eligibility criteria well understood by staff members and
TEOs”**

The following table shows how respondents replied.

Yes	No	Possibly
20	2	-

Not all respondents replied to this option. Some respondents gave reasons for/provided comments in support of the response they favoured.

Yes:

- it is probable that the eligibility criteria are not well understood below a senior management/ Heads of department level (5 respondents made this reply)
- the subtleties around people who are not an exact fit with the eligibility criteria have in the past caused difficulties for both TEOs and the TEC.
- non-universities did not understand staff eligibility criteria as well as universities
- rationale behind the eligibility dates (15 June 2005 and 14 June 2006) not fully understood
- there was confusion with the definition of ‘major role’ and difficulties in verifying criteria
- the experience of 2006 suggests that some TEOs deliberately “misunderstood” the criteria in order to restrict or exclude the eligibility of some staff members
- confusion exists around the 0.2 FTE, it is not clear to some staff whether this refers to total workload or overall employment status
- not all TEOs have distinct contracts for ‘teaching only’ and ‘research plus teaching’ staff, because all staff are on the same collective contract and share the same job titles
- the system needs another round based on the same criteria so that direct comparisons of outcomes can be made
- in preparation for and since the 2006 PBRF assessment there have been significant efforts to educate all staff on the eligibility criteria
- the only area of uncertainty was around the criteria for the NE classification

- academics rely on explanations of eligibility being supplied by relevant PBRF-informed personnel
- the TEC documentation is unclear, for example whether PBRF eligibility includes or excludes staff teaching at degree level
- during the 2006 round the TEC provided verbal clarification of what a 'major role' was under the substantiveness test, indicating that it required a staff member to undertake unsupervised planning and marking and be responsible for the assignment of grades; this clarification should be included in the guidelines
- the increasing costs of compliance concerning eligibility appear to outweigh some of the other criteria, especially comparability with 2006 and comprehensiveness
- the eligibility criteria are inherently inequitable and relegate clinical education (graduate and postgraduate research teaching) to a secondary level

No:

- the substantiveness test in particular is not well understood

Part B: Responses to the second question asked in the feedback template “Would the changes to the guidelines suggested in section 6.1.3 of the consultation paper provide greater clarity about the eligibility criteria?”

The following table shows how respondents replied.

Yes	No	Possibly
9	-	-

Not all respondents replied to this option. Some respondents gave reasons for/provided comments in support of the response they favoured.

Yes:

- degrees are level 7 qualifications, they may have level 4,5,6,7, courses as components; there appears to be confusion about the level of a course and that of the qualification

In addition, some respondents made specific comments on the suggested changes:

0.2 FTE:

- the Guidelines 2006 were lacking in not stating that there should be a minimum employment level of 0.2 FTE *throughout the year* (2 respondents made this reply)
- it is unclear what is being suggested in this case
- this encourages ‘game-playing’
- could FTE be calculated on hours rather than salary?
- the clarification of the 0.2 FTE is useful

Subject area:

- the subject area should be included on the EP (3 respondents made this reply)
- it is not clear whether verification of subject is an issue for panel members
- designated subject areas should be included in EPs if this designated subject area refers to the ‘reported’ subject area (as opposed to the actual subject area used by the panel) and is aligned with the primary panel

- beyond 2012 it may be useful to adopt a more precise research subject classification such as the new Australian and New Zealand Standard Research Classification (ANZSRC) codes released 31 March 2008
- the current criteria enable some 'game-playing'; TEOs may report in inappropriate subject areas some R staff who do not submit EPs, as this enables the quality score of their home NAU to improve without affecting the score of the subject area they were shifted into
- designated subject areas are already provided to TEC and panel chairs have the option to move EPs across panels and presumable subject areas
- staff who do not submit EPs should be required to submit their department or school or research unit designation in addition to their subject area to provide a rough cross-check for subject area listings
- any changes to listed subject areas should be notified to the TEO at the time of the change so there is an opportunity to challenge the decision
- panels should not have the responsibility to verify subject area, merely to query if appropriate

Research: revise the research substantiveness test:

- dropping the word "conduct" is a good idea
- tightening the criteria to exclude junior researchers is a good idea
- this would have a negative impact
- any changes should specify expectations and institutional roles rather than academic titles or grades
- we support the option that begins: "Design or lead research activity ..."
- we support extending the 'strict supervision' provisions to researchers to ensure that junior researchers and technical staff who have no substantive involvement in research led teaching are ineligible where appropriate
- the first two criteria presented are superior to the third option
- the research substantiveness test was ambiguous and none of the suggested rewordings in the consultation paper clarify it adequately; this ambiguity provides an opportunity for 'game-playing'
- suggest the following wording: "Participate in the design of research activity and/or the preparation of research outputs (eg. as a co-author/co-producer), and thus be likely to be named as an author (or co-author of research outputs)
- supports the following wording: "Undertake the design of research activity and/or the preparation of research outputs (eg. as a co-author/co-producer), and thus be likely to be named as an author (or co-author) of research outputs"
- the wording "design or lead" will provide opportunity for 'game-playing'

- the current eligibility criteria create uncertainty around those who are on collective employment contracts (such as tutors) who meet the substantiveness test for their teaching responsibility but do not carry out research
- this would not solve the problem area of sub-degree teaching staff who may have published one or two papers as lead authors but who are not generally expected to undertake research
- there seems little difference in any of the options given; they all seem designed to exclude staff whereas a more inclusive model would provide a better picture of the volume and quality of researchers at institutions

Research: extend the 'strict supervision' provisions to researchers:

- this should be extended to researchers
- this should be handled cautiously so it does not exclude numbers of highly eligible researchers
- care is required to prevent overuse of the "strict supervision" definition to prevent TEOs using this as a 'game-playing' tactic
- if the definition is adopted the TEC should request TEOs to provide a list of lead researchers and their junior researchers and technical staff, which is signed off by the DVP Research or equivalent for completeness and accuracy
- this idea is included in the substantiveness test
- agree with the suggested phrasing
- this may lead to 'game-playing' as TEOs could place a number of postdoctoral researchers under 'strict supervision'
- those with a title of 'lecturer' or above should not be able to be exempted on the grounds that they are teaching under supervision
- agree except where this is contravened by the 'co-authorship' rule

Teaching: clarify the supervised exclusions provisions:

- Research fellows, lecturers and senior tutors should not be ineligible under this clause
- may lead to 'game-playing' around academic titles
- the first suggestion would make academics with a title of lecturer/research fellow up compulsorily eligible
- the position titles may not be representative of the specific job functions of the individual
- the second suggestion of excluding senior tutors unless a specific case to include them can be made is valid

- agree with the statement: “Staff members with position titles of lecturer/research fellow or above may not be reported as ineligible under the supervision provisions”
- disagree with the statement: “Senior tutors will not normally be able to be reported as ineligible under the supervision provisions unless a case is made by their TEO”; senior tutors are normally supervised and so are not full academics
- strongly disagree as there is inconsistency of title usage between TEOs
- in our institution position titles do not necessarily indicate whether a staff member is expected to do research or not
- the TEC should initiate some discussion regarding the standardisation of academic titles across the sector; Australia has had such standardisation for some time

Teaching: change the minimum level on the NQF:

- the level 7 or above statement seems reasonable
- this change is likely to have a negative impact on the eligibility of ITP staff who carry out research but teach at a sub-degree level (or a level below 7)
- this may be helpful in more clearly demarcating those who teach level 7 and above must be actively engaged in research
- the suggested change to the minimum level on the NZQA qualifications would mean that some good researchers who teach on diplomas or degree level 5 & 6 paper would be excluded, and they should not be
- as level 5 and 6 on the Register equate to first and second year university papers it would lead to ‘game-playing’ if staff who teach these papers can be excluded from the PBRF; it also would not recognise the fact that some students doing first and second year university papers are studying for degrees

**Part C: Responses to the third question asked in the feedback template
“Would a sector-led audit/a more rigorous audit provide greater
confidence in the quality evaluation?”**

The following table shows how respondents replied.

	Yes	No	Possibly
Sector-led audit	4	13	1
More rigorous audit	5	12	1

Not all respondents replied to this option. Some respondents provided a general reply that covered both options. Some respondents gave reasons for/provided comments in support of the response they favoured.

Yes to a more rigorous audit:

- To be fair an audit should be applied to all TEOs
- an audit process must be completed before the subject panels meet
- a risk assessment of each TEO should be undertaken to determine the sample of staff to be audited and instead of increasing the sample size in may be more beneficial to increase the audit attributes
- the PBRF Guidelines must explain the rationale behind auditing of ineligible staff
- a more robust approach is to work with TEOs in assisting them developing and designing their PBRF eligible staff processes well before the employment dates
- the TEC should seek information from the TEOs to understand their level of readiness for the 2012 QE during 2010/early 2011
- the TEC should inquire whether TEOs have had their PBRF processes audited

No to a more rigorous audit:

- the guidelines already make provision for an extended audit
- the problems identified by the audit of the 2006 round were insignificant
- what is required is a much tighter set of criteria for eligibility/ineligibility, accompanied by the same excellent auditing practices as used in the last census

- the existing audits are rigorous enough; the cost of more auditing will not yield sufficient benefit
- if a TEO is suspected of 'game-playing' then the TEC should have the right to increase the number of staff audited at that TEO
- this would not enhance TEO confidence in the quality evaluation process as the current audit process identifies discrepancies and corrects them and the staff numbers in question are small
- this would only add to the already high compliance costs of PBRF
- the PBRF is itself a form of audit, so having to 'audit the audit' only serves to discredit the whole system
- this would only be acceptable if it were conducted by an independent but informed organisation with a steering group from the sector and the TEC

Yes to a sector-led audit:

- this audit should only check that eligibility criteria are correct and should not have the role of checking all applications for their eligibility
- a sector-led audit with TEC involvement would be efficient in using the detailed knowledge of eligibility criteria in the sector and helping to close any more gaps in the rules
- the audit provided in the last quality evaluation did not give sufficient confidence that the assessment was conducted fairly by all participants

No to a sector-led audit:

- there would be no confidence in an audit team comprised of academics from TEOs
- the sector should not lead the audit because there is too great an incentive to hide or include according to their advantage
- a sector-led audit would not be independent
- some TEOs might not want staff from other TEOs verifying the PBRF census records back to their TEOs HR records
- it would be beneficial to have a panel to review eligibility where the TEC and TEO differ in interpretation of the PBRF Guidelines; this panel could also be used to approve staff designated as "strict supervision"
- the TEC is the correct holder of the auditing responsibility
- this would place additional costs on the sector

Other replies:

- these audit suggestions may lead to greater confidence but would add compliance cost, particularly a time cost, to a system that is already considered very time-consuming

**Part D: Responses to the fourth question asked in the feedback template
“Should the eligibility criteria be changed to make specific groups of staff PBRF-ineligible (teaching-only staff, research-only staff, postdoctoral fellows and staff who teach predominantly at sub-degree level”**

The following table shows how respondents replied.

Yes	No	Possibly
8	10	1

Not all respondents replied to this option. Some respondents gave reasons for/provided comments in support of the response they favoured.

Yes:

- Teaching fellows and postdoctoral fellows should be excluded unless a special case for their eligibility is made
- It is an absurdity to include in the PBRF teaching fellows whose sole role is to teach
- research-only staff and postdoctoral fellows who do not meet the substantiveness test are PBRF ineligible, but making all staff with the title Lecturer and above eligible is problematic
- this change may better reflect the situation in non-university TEs
- those who teach at level 4 and below and those engaged in teaching applied degrees to supervise practicum in the workplace only
- the current criteria are a problem for those staff who teach mainly certificates and diplomas but also spend a small number of hours teaching at degree level; such staff bring the academic unit quality score down but to remove them from degree teaching would make degree students worse off
- teaching-only staff should be eligible if teaching on degree and fulfilling the other eligibility criteria as they are expected to be involved in research as part of the Education Act requirements
- research-only staff should not be eligible unless involved in teaching which includes supervision of graduate students; however the current aims of the PBRF do not provide an adequate reason to exclude such staff
- staff who teach predominately at sub-degree level should be ineligible but the contact-hours threshold for this should be raised from 10 hours to 30 hours

No:

- it is unclear whether this would align with the Government's educational requirements and the Education Act and whether this would have an impact on the collective agreements with the TEOs
- some TEOs processes for the 2012 QE may be based on the current eligibility criteria
- as different institutions have different titles this would lead to greater 'game-playing'
- to make teaching-only staff ineligible would contradict the aim to support the Education Act (the teaching-research nexus)
- research and post-doctoral fellows are involved in research and therefore they should be eligible
- the eligibility of staff who teach predominately at the sub-degree level would be determined by the teaching substantiveness test and there is no justification to change this
- TEOs should have flexibility to decide who is eligible, subject to certain criteria (such as those in section 6.4)
- the job description and 0.2 FTE criteria in the current criteria should ensure the current teaching only personnel are included in the audit
- support the inclusion of the statement: "Degree-level courses are those that contribute predominantly to qualifications at level 7 or above on the New Zealand Register of Quality Assured Qualifications."
- post-doctoral fellows are part of the research fabric of a University and contribute directly or indirectly to post-graduate teaching and supervision
- the TEC should re-address this issue after 2012 to help ensure teaching excellence is being rewarded
- leaving the degree teaching substantiveness test definition as it is will allow part-time staff to remain PBRF eligible
- one of the aims of PBRF is to increase the average quality of research and improve the quality of public information on research outputs, so research-only staff should be retained as PBRF eligible
- of particular concern is the suggestion that staff teaching in exclusively pre-degree programmes would no longer be PBRF eligible; to classify these staff as ineligible would undermine their commitment to research and discourage them from ongoing work in the pre-degree programmes that are so necessary in communities
- the suggested changes may just raise more problems in interpretation
- individual leeway needs to be allowed for in order to encourage career aspirations while discouraging assigned/defined hierarchies within the tertiary sector

Possibly:

- staff who teach predominately at sub-degree level should not be eligible
- staff who teach qualifications at NQF Level 7 or above should virtually all be eligible

**Part E: Responses to the fifth question asked in the feedback template
“Which of the options discussed in this paper would be the best means
of determining eligibility”**

The following table shows how respondents replied:

Option	Respondents favouring this option
6.1 (Status quo)	16
6.2 (Eligibility determined by academic grades)	1
6.3 (Extend strengthened substantiveness test to all staff)	3
6.4 (Allow TEOs greater flexibility)	3

Not all respondents replied to this option. Some respondents favoured more than one option. Some respondents provided comments on some of the options.

6.1:

- Changing the rules will lead to a new set of ‘game-playing’ by TEOs
- This will allow meaningful comparisons to be made across assessment rounds
- TEOs are not expecting too many changes to the criteria and some may have already designed processes around the current criteria for 2012
- a re-writing of the guidelines as described in section 6.1.3 will provide clarification and comparability with previous data
- there must be clarification around teaching-only staff
- providing as much clarity as possible around the guidelines for the minimum and maximum requirements (including examples) would be imperative
- generally the existing criteria are well understood by the sector and retaining them will allow valid comparisons between the 2003, 2006 & 2012 data
- in addition change the definition of degree level teaching to read: “Degree-level courses are those that contribute predominately to degree, graduate and postgraduate or above qualifications on the New Zealand Register of Quality Assured Qualifications”.

- individuals must be able to challenge their PBRF eligibility or ineligibility if they believe their TEO has incorrectly classified them
- with a sector-led audit
- there should be a review of the current 'Aims of the PBRF' and an expansion of the guiding principles; some fundamental principles need to be provided for each of the key areas such as eligibility

6.2:

- There is too much variability within the sector and too many exceptions to the standard grades
- This would not require audit
- this would have a negative impact due to the adverse effect of the perception of academic titles as a measure of research standing independent of ROs
- this could be a good option for post-2012
- agree with criteria which support the inclusion of post-doctoral and permanent research staff

6.3:

- this would mean learning a new and more complex set of rules
- this is supported only if it does not include researchers who aren't involved in supervision but are clearly involved in independent research
- this would exclude research-only staff which seems contrary to the aim of the PBRF
- the substantiveness test should be used for teaching at level 7 and above

6.4:

- this will undermine the basic principle of inclusiveness
- this should not be considered
- TEOs should have the flexibility to decide that marginal staff are ineligible
- this is marginally the best of the options offered as it allows some flexibility, but none of the options offered above address the fundamental disparities in the PBRF system

Part F: Miscellaneous comments

- The option put forward in the Professional and Applied Research paper, concerning staff excluding clinical practice from teaching load, should have been included in this paper as it will effect eligibility.
- suggesting that changes to the reporting mechanism may reduce the need for removal of loopholes in the eligibility criteria is wishful thinking
- publicly naming those TEOs guilty of ‘game-playing’ around eligibility would provide a significant disincentive to such behaviour and assist with interpretation of the consequences for quality scoring
- there should be an addition to the wording of the definition of degree level teaching to reduce the potential for ‘game-playing’ around staircase arrangements; the definition should read:
 - “Degree-level courses are those that contribute predominately to qualifications at level 7 or above on the New Zealand Register of Quality Assured Qualifications. For the avoidance of doubt, this includes all courses that are approved as eligible for degree-level funding.”
- so-called ‘game-playing’ by TEOs is for the most part honest, morally correct decisions by TEOs to maximise revenue within the rules, as TEOs have a responsibility to their staff and students and to society at large to maximise their score
- some staff are pressured to adopt lower-status tutor roles or agree that their teaching is ‘under strict supervision’ as a way of making them PBRF-ineligible, and this has the potential to destroy their academic career

Appendix

A total of 23 responses was received. The responses fall into three categories. All responses are given equal weight by the PBRF Sector Reference Group.

Responses made on behalf of the following institutions or organisations:

- KPMG
- New Zealand Nurses Organisation
- Tertiary Education Union
- The Vice-Chancellor's Office of the University of Auckland

Responses made by or on behalf of staff from the following Tertiary Education Organisations:

- Auckland University of Technology
- Christchurch Polytechnic Institute of Technology
- Eastern Institution of Technology
- Lincoln University
- Massey University
- NorthTec
- The Open Polytechnic of New Zealand
- Otago Polytechnic
- Unitec Institute of Technology (2 separate responses)
- The University of Canterbury
- The University of Otago (4 separate responses)
- The University of Waikato
- Victoria University of Wellington
- Waikato Institute of Technology

Responses made by individuals:

- 1 response was received from an individual