

# The next steps for quality

## Revised operating model for quality assessment

On Friday 18<sup>th</sup> March HEFCE published their response to the Quality Assessment Review Consultation. It outlines their intentions to fundamentally change the way quality assessment is run, but still leaves some key questions unanswered.

### Headlines

- The funding councils for England, Wales & Northern Ireland are moving forward with reshaping of the quality system, despite an imminent HE Bill.
- The Scottish sector continues to reviews its own systems separately.
- Quality assessment will be delivered in four different phases; the initial assessment, an annual provider review, a five-yearly assurance review and intervention and investigation when things go wrong.
- We believe that institutions should be asked to outline how students are involved in the design, development and assurance of their courses.
- We are concerned that the baseline requirements do not include all aspects of the Quality Code. It is essential that the threshold for entry to the sector remains a high standard.
- It is crucial that the importance of collective, representative student voice is maintained and strengthened in this process.
- It is not clear how the funding bodies intend to ensure that students and students' unions will be protected from negative repercussions of raising concerns about their institution.
- Enabling students to be powerful requires time, expertise and additional support.
- NUS opposes any use of public money to fund private-for-profit companies.

The higher education landscape is rapidly changing, and there are no certainties. Whilst this means there is little clarity and a lot of confusion, it also means that there is everything to play for.

We strongly encourage you to be active in this discussion – speaking with your institution, other SUs and with the funding councils about your concerns and ideas.

You can contact them here:

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## Overview

The document starts by outlining the key principles which the proposals are based on. These have not significantly shifted from those in the consultation:

- a. Is based on the autonomy of higher education providers with degree awarding powers to set and maintain academic standards, and on the responsibility of all providers to determine and deliver the most appropriate academic experience for their students wherever and however they study.
- b. Uses peer review and appropriate external scrutiny as core components of quality assessment and assurance approaches.
- c. Integrates students as partners in designing, implementing, monitoring and reviewing processes to improve the quality of their education.
- d. Provides accountability, value for money, and easily understood assurances to prospective students, students, employers, Government and the public, in the areas that matter to these stakeholders, in relation to individual providers and across the sector as a whole.
- e. Works well for increasingly diverse missions and types of provider, and ensures that providers are able to experiment and innovate in strategic direction and in approaches to learning and teaching.
- f. Adopts a context-sensitive, risk- and evidence-based approach to co-regulation to ensure that regulatory scrutiny focuses on the areas with greater risk or potential risk, to standards and the academic experience of students or the system.
- g. Intervenes early, rapidly and proportionately when things go wrong.
- h. Provides support for new or less mature providers, while ensuring that the threshold for entry into the sector is set at a level sufficient for an appropriately high-quality academic experience and secure degree standards.
- i. Uses a robust evidence base to ensure that opportunities for continuous improvement are identified and exploited by all providers.
- j. Maintains, as far as possible in a devolved system, a UK-wide approach.
- k. Protects the reputation of the UK higher education system in a global context, including through continued engagement with European quality assurance expectations.
- l. Ensures that the overall cost and burden of the quality assessment and wider assurance system are proportionate.

Quality assessment will be delivered in four different phases; the initial assessment, an annual provider review, a five-yearly assurance review and intervention and investigation when things go wrong.

The document also explicitly outlines the proposals for the role of students throughout the new system.

Whilst the proposals reflect broadly the concerns raised by students' unions in their responses to the consultation, there is clearly still much work to be done.

It is not clear how the plans intend to link with the Teaching Excellence Framework. In addition

to NUS' opposition to a TEF in general, there is high risk of the creation of two similar, but different systems.

Whilst both BIS & the funding councils say they are working closely together, it is yet to be seen how these two systems won't duplicate each other.

Another complicating factor is the fact, as the proposals recognise, that HEFCE and the funding councils only have regulatory powers over providers which are part of the publicly funded sector.

The Higher Education Bill, which will be included in the Queen's Speech on 18<sup>th</sup> May will propose extended powers for a new regulator – the Office for Students – to include non-public providers. Of course, this new body may wish to continue on the path HEFCE have begun, but then again they may not.

## Initial Assessment

There are two strands for the initial assessment phase – one for "established providers" and one for "new providers".

For established providers, a one-off verification will take place, assessing the robustness and appropriateness of their internal quality assessment systems. The assessment will be judged against answers to the following questions:

Is there externality in any process that the provider operates to review the student academic experience and student outcomes?

How does the provider identify innovations and developments that could enhance the student academic experience and its outcomes?

How does the provider evaluate 'what works' and what does not?

How does the provider identify issues or problems that need addressing in the student academic experience and its outcomes?

## **We believe that a further question should be included asking institutions to outline how students are involved in the design, development and assurance of their courses.**

For new providers to the sector, there will be a longer process, described in the plans as the 'Entry Gateway'. This will consist of a peer review with student reviewers and consider the views of current students. The review will test whether the provider meets the baseline regulatory requirements.

HEFCE have outlined the requirements:

- a. The framework for higher education qualifications in England, Wales and Northern Ireland.
- b. Specific elements of the current UK-wide Quality Code.
- c. The financial sustainability, management and governance requirements of the relevant funding body.
- d. The Higher Education Code of Governance, or other equivalent designated governance code.
- e. The expectations of consumer law as expressed through the Competition and Markets Authority guidance.
- f. Student protection measures as expressed through the Office of the Independent Adjudicator's good practice framework and the Northern Ireland Public Service Ombudsman equivalent, and HEFCE's Statement of Good Practice on higher education course changes and closures.
- g. The provider's mission and strategy for its higher education provision.

If the provider is deemed satisfactory, or satisfactory with conditions, they will then enter a four year development period. This is period of enhanced scrutiny, ensuring those providers without a long track record to demonstrate that they can meet the standards of the sector.

**We are concerned that the baseline requirements do not include all aspects of the Quality Code. It is essential that the threshold for entry to the sector remains a high standard.**

## Annual Provider Review

HEFCE, HEFCW & DEL currently all conduct an annual review of publicly funded providers, particularly focusing on the financial health, governance and data management arrangements.

HEFCE propose that this annual process is broadened out to include seeking assurances from the governing body of each provider that they are meeting all of their regulatory requirements – once a provider has passed the developmental stage.

The review will make an annual judgement through a 'risk letter' to the governing body. There will be five judgements:

- a. **Meets requirements** – the provider will continue to undergo Annual Provider Review.
- b. **Meets requirements with conditions** – the provider will continue to undergo Annual Provider Review, but with an action plan to address areas of immediate concern'.
- c. **Pending** – the producer will be referred for further investigation and intervention.
- d. **Does not meet Annual Provider Review requirements** – the provider will return to developmental enhanced scrutiny, with a peer review visit as appropriate and an ongoing schedule of four-yearly visits, with an action plan to address areas of immediate concern.
- e. **Does not meet baseline regulatory requirements** – concerns are sufficiently serious to warrant removal

of the provider from the Register of HE Providers.

Student peer reviewers will be involved in the judgement making process.

HEFCE have proposed a number of ways in which students at an institution are supported to input into an annual provider review and will be working with NUS, students' unions and TSEP to pilot a range of ideas.

**It is crucial that the importance of collective, representative student voice is maintained and strengthened in this process.**

In theory, this process will give students' unions and students an annual opportunity to raise concerns with a regulator. When consulting with students' unions, we heard strongly that SUs were frustrated with the fact they can only get changes made every five years. We must ensure that this new process is implemented properly – giving students power to make changes that are needed.

## HEFCE Assurance Review (HAR)

Currently, HEFCE conduct a five-yearly assurance review visit to check the evidence and processes used by providers.

They propose to widen out this review to include assessment of the processes governing bodies use to reach their annual statements on quality of education.

Aside from students participating in governing bodies, it is unclear what role students will play in in the five-yearly Assurance Review.

## Investigation and Intervention

Similar to the current Cause for Concerns Scheme, run by the QAA, HEFCE propose a mechanism for students, sector bodies or other relevant parties to report major concerns about the quality of provision.

HEFCE, HEFCW or DEL will make an initial assessment as to whether there is sufficient

evidence of a serious problem. Then, if this is the case, they will conduct an investigation into the issues. Depending on the nature of the issue at hand, this may include a peer review.

Following the conclusion of this investigation, the funding body will publish one of the following outcomes:

- a. **No issues** – the provider continues to undergo Annual Provider Review, or remains in enhanced scrutiny category.
- b. **Minor issues found** – the provider continues to undergo Annual Provider Review or remains in enhanced scrutiny category, but with an action plan to address areas of immediate concern.
- c. **Substantial issues found** – the provider must return to developmental enhanced scrutiny with an ongoing schedule of external peer review visits, with an action plan to address areas of immediate concern.
- d. **Very significant issues found, or a lack of resolution of issues that are subject to an action plan** – sufficiently serious to warrant removal of the provider from the Register of HE Providers.

It is essential that students and students' unions feel able to raise serious concerns with the funding bodies, without the fear of negative repercussions from their institution.

**It is not clear how the funding bodies intend to ensure that this is addressed.**

## The role of students

The proposals specifically outline their plans for the role of students within the new system:

- a. Through membership of the UK-wide standing committee, to oversee the development of the baseline regulatory requirements (see paragraph 56).

- b. As full members of review teams undertaking visits, to test against the quality-related aspects of the baseline requirements for providers seeking to enter the higher education sector or at the end of their developmental period (see paragraph 64).
- c. As partners in the internal review processes of an individual provider (see paragraph 87).
- d. As partners in designing and piloting a range of approaches to collect the views of students in each provider as a component of the Annual Provider Review (see paragraphs 99 to 101).
- e. As full members of the panel reaching quality-related judgements about the ability of individual providers to meet quality assessment requirements through the Annual Provider Review process (see paragraph 97).
- f. As members of governing bodies, with particular development and support needs (see paragraph 119).
- g. As full members of review teams undertaking visits to providers, to investigate concerns about the quality of the academic experience (see paragraph 133).
- h. As an important constituency able to report serious concerns about individual providers for investigation through this mechanism.

Much of these proposals are broadly reflective of current practice. In order for the role of students and the power they have to be maintained and enhanced, it is essential for the funding bodies to recognise the inherent power imbalance between students and institutions.

**Enabling students to be powerful requires time, expertise and additional support.**

Merely having students on committees & review panels will not be enough.

## What next?

HEFCE, HEFCW and DEL will be moving ahead quickly to tender for a range of different functions within the proposals.

### **NUS opposes any use of public money to fund private-for-profit companies.**

If you have further thoughts, concerns or ideas about the proposals, you can email

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