

Cylchlythyr | Circular

Outcomes of the consultation on the external assurance of quality required by regulated institutions

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To: Regulated institutions in Wales
Other interested parties
Response by: No response required
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This circular provides the outcomes of the consultation provided in circular W16/36HE: Consultation on the external assurance of quality required by regulated institutions.

2017/18 will be a development year. Therefore HEFCW will consider feedback on the operation of the review method in that year, and whether any additional changes are required.

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Introduction

1. This circular provides the outcomes of the consultation provided in circular [W16/36HE: Consultation on the external assurance of quality required by regulated institutions](#).
2. 2017/18 will be a development year. Therefore HEFCW will consider feedback on the operation of the review method in that year, and whether any additional changes are required.

Background

3. Responses to HEFCW's consultation on the Quality Assessment Framework for Wales¹, confirmed HEFCW's proposal to require governing bodies of regulated institutions, or those wishing to become regulated, to obtain external assurance regarding the quality of its provision against the baseline requirements, from an agency on the [European Quality Assurance Register for Higher Education](#) (EQAR).
4. Therefore, subsequently HEFCW published a consultation via circular W16/36HE.
5. HEFCW's Quality Assessment Committee provided advice to Council on the outcomes of the consultation. Council has considered this, and agreed the outcomes.

Consultation outcomes

6. We received 16 responses to the consultation. A brief summary of the response to each question, together with the outcomes is provided below.
7. Our requirements are summarised at **Annex A**. **Annex B** provides a more detailed breakdown of responses received, together with respondents.

General comments

8. General comments included the need to monitor the cumulative effect and burden of the Quality Assessment Framework (QAF), and provide further detail on how the framework would operate in practice.

Conclusion:

- We will keep the QAF under review, including ensuring that HEFCW fully meets its quality assessment responsibilities under the Higher Education (Wales) 2015 Act, and considering whether any further

¹ As summarised in [W16/29HE: Outcomes of the Consultation carried out on the Quality Assessment Framework for Wales](#)

changes are required to the QAF as a result of the Higher Education and Research Bill in England.

- We will provide further information on the QAF on HEFCW's website as the framework develops.

Q1. Do you agree with the proposal that a further external quality review should be undertaken when there have been significant changes to provision²?

9. The majority of respondents agreed with the proposal, recognising that it would be useful to have further definition of what might comprise significant change. However, there were a number of caveats to this. In particular, a number of respondents considered that only a merger or new overseas locations might require an additional review. There was a suggestion that institutions' risk management processes, the fee and access plan (FAP) process, and annual assurance from the governing body, should be used to monitor new provision. Particular concerns were expressed that a percentage threshold for change in provision could have a disproportionate effect where numbers of students were small, thereby triggering a review for providers with smaller cohorts. Respondents also recognised that in the case of validated provision, decisions by the HEI could impact on the criteria for a further review.

Conclusion:

- Merger of institutions will continue to require a review at the earliest date when any of the constituent partners are due a review;
- HEFCW will operate a risk-based approach regarding whether any other significant changes to provision should require a full or partial review.
- As noted in the consultation, a shorter review interval will continue to apply to institutions receiving judgements other than 'meets requirements' (or commended)³ even when the judgement has been amended.

Q2. Do you agree with the definition of significant new provision⁴?

10. Responses to this were mixed, ranging from those who considered the definition was appropriate, to those who considered it was unhelpful, and needed further definition. A number of respondents considered that significant new provision should not automatically trigger a review, and that

² Significant changes leading to a quality assessment review of

- any new location of delivery (at home or overseas) within one year of the commencement of its operation.
- An unplanned change of 20% or greater in student numbers;
- A change of 50 per cent or more on the type or mode of provision/course offered;
- A substantial structural change eg merger, or becoming part of a group structure.

³ ie Where an institution receives any judgement of 'meets requirements with conditions' it should undergo a further review within four years of the previous review; and Where an institution receives any judgement of 'does not meet' it should be reviewed within two years of the previous review.

⁴ See footnote 2

a more nuanced basis was appropriate to inform decision-making. Others recognised that institutions which were not accustomed to collaborative arrangements were more likely to be at risk than those who were experienced in this area. Respondents noted that institutions should already have measures in place to identify whether provision was likely to become inadequate as a result of planned major strategic changes.

Conclusion:

- The definition is indicative only, as a risk-based process will be operated by HEFCW to determine whether a further full or partial review is required.
- The definition will be updated to reflect that it is indicative only. It will be amended to include collaborative provision.

Q3. Is the proposed judgement terminology⁵ appropriate?

11. The majority of respondents were content with the judgement terminology. Some respondents noted the importance of aligning with terminology used in England. It was suggested that Wales should use the full range of judgements available in England. It was also proposed that there could be an additional category on the implementation of HEFCW's Statement of Intervention. Respondents also noted that there was a risk that the review outcomes might appear to be different to the outcomes of the [Teaching Excellence Framework](#) (TEF).

Conclusion:

- To confirm the judgement terminology of 'meets requirements', 'meets requirements with conditions', or 'does not meet'.
- HEFCW plans to do further work on provision that is likely to become inadequate. We may consult on a 'pending' judgement at a future date, which would take account of this provision and align with the judgements in England.

Q4. Would it be useful to have a judgement of 'Excellent' (or 'Commended')?

12. There were mixed views regarding this question. Some considered that it would be useful to have a judgement, for reasons including the celebration and dissemination of good practice, encouraging institutions to drive continuous improvement beyond compliance, and to use as evidence for the TEF. Those disagreeing considered that the judgement would be confusing, and that a commentary could be as useful. They also recognised that excellent/ commended could not apply to threshold standards. There was some concern that there might be confusion regarding the TEF, if an institution received an excellent/commended outcome for the review, but a Bronze TEF award. Some preference for the term 'commended' rather than 'excellent' was expressed.

⁵ Meets requirements; Meets requirements with conditions; Does not meet requirements

Conclusion:

- The term 'commended' could be used to highlight aspects of good / best practice.

Q5. Are these judgement areas⁶ appropriate? Should there be any additional judgement areas? Please explain your response and suggest alternatives/additions if appropriate.

13. Respondents broadly agreed with the judgement areas proposed, albeit with some caveats. There was a view that the QAF should align with the European Standards and Guidelines (ESG) for internal quality assurance, and that there was some overlap in the judgement areas, and therefore a provider would be at risk of receiving unsatisfactory judgements in both categories as a result of the same issues. However, the baseline of the QAF does not include the ESG requirements.

Conclusion:

- There would be two separate judgements on whether or not the institution meets the requirements of the:
 - a) European Standards and Guidelines for internal quality assurance and
 - b) baseline standards for the Quality Assessment Framework in Wales
- Where an institution received any judgement of 'meets requirements with conditions,' the conditions attached to the judgement should clarify the issues involved.

Q6. Should there be a separate judgement on enhancement or should this be a commentary?

14. Respondents had mixed views on whether there should be a separate judgement on enhancement, or whether this should be a commentary. Those in favour of a judgement noted that this would help to make enhancement a specific focus, and require institutions to take action to ensure enhancement was led strategically. Those in favour of a commentary considered that enhancement should be holistic and embedded in the strategic approach of the institution. There was also concern that a judgement might lead to a lack of comparability between reviews.

Conclusion:

- The development year will not include a judgement on enhancement. We will consider at the end of that year whether a judgement on this area should be included.
- The review will include a statement on the institution's strategic approach to enhancement of the student academic experience.

⁶ the judgements proposed would consider whether or not the institution meets the requirements of: a) the European Standards and Guidelines for internal quality assurance and b) the baseline standards for the Quality Assessment Framework in Wales

Q7. Do you have any more general comments about the external quality assurance review?

15. A range of comments were provided. The positive comments included welcoming the protection of the international reputation of the UK HE brand, the opportunity to participate in joint quality assurance reviews to ensure comparability, and the embedding of enhancement and partnership within the review.
16. Some concern was also expressed by FEIs, including concern about over-regulation and the potential for the lead-in period for reviews to impact on FEI engagement with ventures such as higher apprenticeships. Some FEIs had a view that Estyn outcomes should be considered to meet the requirements of the HE Act. However, Estyn outcomes relate specifically to the FE provision of FEIs, and therefore do not take account of the quality of HE provision. Officers' view is therefore that this would not be appropriate.

Conclusion:

- To confirm that a higher education external quality assurance review is required by institutions wishing to become/remain regulated, and that other inspection outcomes, such as Estyn, or related to specific subject areas, would not suffice.

Q8. Does this consultation have any unintended impacts or negative consequences in terms of equality and diversity, Welsh language, and/or sustainability?

17. The majority of respondents considered that there were no unintended impacts or negative consequences as a result of the consultation. However, some FEI respondents considered that they might be negatively impacted as a result of needing to undergo review. HEFCW's view is that the need to undergo review relates to HEFCW's responsibilities under the HE Act, and if FEIs wish to become/remain regulated then they need to meet the same quality assessment standards as other regulated institutions.
18. QAC advised that there did not appear to be any unintended impacts or negative consequences in terms of equality and diversity, Welsh language and/or sustainability. However, they advised that HEFCW should continue to monitor impacts to ensure that FEIs were not disproportionately affected, given that their student body tended to include a higher proportion of disadvantaged students.

Conclusion:

- There are no unintended impacts or negative consequences in terms of equality and diversity, Welsh language and/or sustainability as a result of this consultation. However, HEFCW will continue to monitor impacts to ensure that FEIs were not disproportionately affected,

given that their student body tended to include a higher proportion of disadvantaged students.

Further information

19. For further information, contact Dr Cliona O'Neill (tel 029 2085 9731; email cliona.oneill@hefcw.ac.uk).

Assessing the impact of our policies

20. We have carried out an impact assessment screening to help safeguard against discrimination and promote equality. We also considered the impact of policies on the Welsh language, and Welsh language provision within the HE sector in Wales and potential impacts towards the goals set out in the Well-Being of Future Generations (Wales) Act 2015 including our Well-Being Objectives. Contact equality@hefcw.ac.uk for more information about impact assessments.