

Cylchlythyr | Circular

Outcomes of the consultation on criteria for the assessment of quality, method for assessment of quality and investigation of matters relating to quality and standards

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Reference: W16/06HE
To: Heads of higher education institutions in Wales
Principals of directly-funded further education colleges in
Wales
Response by: No response required
Contact: Name: Dr Cliona O'Neill
Telephone: 029 2068 2283
Email: cliona.oneill@hefcw.ac.uk

This circular provides the outcomes of the consultation in W15/27HE on criteria for the assessment of quality, method for assessment of quality and investigation of matters relating to quality and standards.

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Introduction

1. This circular provides the outcomes of the consultation in circular W15/27HE on criteria for the assessment of quality, method for assessment of quality and investigation of matters relating to quality and standards.

Background

2. Under sections 23 and 24 of the Higher Education (Wales) Act 2015 (the 2015 Act) HEFCW must consult the governing body of regulated institutions, and any other persons appropriate, before issuing or approving guidance relating to the quality of education, and/or criteria to be used in assessing this.
3. Therefore circular W15/27HE provided a consultation on:
 - the use of the Quality Code as a criterion for the assessment of higher education quality in regulated institutions;
 - the Higher Education Review: Wales (HERW) handbook, as the current method under which higher education quality is assessed;
 - the use of the QAA's procedures for concerns, complaints and appeals, as the method under which matters relating to higher education quality and standards are investigated.
4. In addition to the formal consultation, we consulted informally with:
 - the Universities Wales Pro Vice Chancellors' Learning and Teaching Advisory Group;
 - attendees at our November 2015 workshop on the transitional statement of intervention and our approach to inadequate quality; and
 - the HE in FE network November 2015 meeting, coordinated by Colegau Cymru
5. The consultation ended on 29 January 2016.
6. The funding bodies in England, Wales and Northern Ireland have carried out a [consultation on quality assessment](#), which will impact on quality assessment in the UK in the future.

Consultation outcomes

7. We received seven responses to the consultation. Respondents are listed at **Annex A**. The outcomes of the consultation are summarised below, with more detailed information on the responses available at **Annex B**.

Question 1

8. Do you agree with the proposal to continue to use the Quality Code as a criterion for the assessment of quality under the 2015 Act until further notice?

All respondents agreed with this proposal.

Question 2

9. Do you agree with the proposal to rely on the judgements from the revised HERW handbook in assessing the quality of education provided by regulated institutions?

All respondents agreed with this proposal.

Question 3

10. Do you agree with the proposal to continue to rely on the outcomes of any concerns investigations until further notice?

All respondents agreed with this proposal.

Conclusions

11. As the outcomes of the consultation were unanimous, in favour of the proposals made by HEFCW, we will continue to use the:
- Quality Code as a criterion for the assessment of higher education quality in regulated institutions;
 - Higher Education Review: Wales (HERW) handbook, as the current method under which higher education quality is assessed;
 - QAA procedures for concerns, complaints and appeals, as the method under which matters relating to higher education quality and standards are investigated.
12. Officers will take account of other comments made by respondents in taking forward developments in relation to the quality assessment consultation carried out in England, Wales and Northern Ireland.

Further information

13. For further information, contact Dr Cliona O'Neill (tel 029 2068 2283; email cliona.oneill@hefcw.ac.uk).

Annex A. Respondents

Aberystwyth University

Bangor University

Cardiff Metropolitan University

Cardiff University

Wrexham Glyndŵr University

Universities Wales

University of Wales Trinity Saint David

Annex B. Additional comments made by respondents

Q1. Do you agree with the proposal to continue to use the Quality Code as a criterion for the assessment of quality under the 2015 Act until further notice?

All respondents agreed with this proposal. The following points were made:

- The quality code
 - provided a clear framework for quality and standards
 - set out clear expectations and results in a consistent and robust process, the outcomes of which were well understood nationally and internationally;
 - was independent, objective and demonstrates authenticity;
 - was not designed specifically to address HEFCW's statutory duty and did not expressly apply a 'reasonable needs' test;
- Arrangements would need to be revisited in light of changes to quality assurance;
- HEFCW would need to ensure that QA requirements and provision covered by the assessment(s) clearly mapped against the statutory duties;
- There needed to be a thorough review of the 'reasonable needs of students';
- Care would need to be taken to ensure that appropriate emphasis is placed on monitoring and enforcing future arrangements;
- HEFCW would need to consider how it addresses its overlapping duty with the Welsh Government in respect of further education;
- HEFCW's duty only covered the provision of regulated institutions wholly or principally in Wales, with reciprocal arrangements for provision in England. This left potential differences in the coverage of existing quality assurance arrangements and HEFCW's new duty. A negative quality assessment based on provision that did not fall under HEFCW's duty would therefore not trigger its regulatory powers.

Q2. Do you agree with the proposal to rely on the judgements from the revised HERW handbook in assessing the quality of education provided by regulated institutions?

All respondents agreed with this proposal. Points made were as follows:

- The operational changes were appropriate and would help to ensure consistency and continuity until any new arrangements were introduced;
- The substantive change took full account of the 2015 Act;
- The definition of inadequate quality in the handbook should be amended for consistency with the definition proposed by HEFCW ie to be an institution that does not obtain judgements of 'Meet(s) UK expectations' or 'Commended' in all four judgement categories in QAA review;
- Greater clarity was needed about the criteria which determine when QAA might exercise its powers under the new Act.

Q3. Do you agree with the proposal to continue to rely on the outcomes of any concerns investigations until further notice?

All respondents agreed with this proposal. The following points were made:

- The existing QAA Concerns scheme, running alongside the current quality assessment arrangements, was balanced, proportionate, appropriately evidence-based and clearly understood;
- HEFCW would need to review all relevant concerns procedures in future;
- The definition of ‘inadequate quality’ in the concerns procedures should be amended for consistency with the HEFCW definition;
- Further consideration might need to be given to the guidance on timescales and publication/notice of inadequate quality to ensure that these were consistent with the approach in the 2015 Act;
- HEFCW would need to satisfy itself that the current situations covered by this procedure, in conjunction with other arrangements, were sufficient to satisfy the 2015 Act requirements;
- It was desirable to reduce duplication of processes and evidence, or unnecessary differences in evidence or process, which could increase the chance of inconsistency between bodies. However, the legal basis on which different bodies considered matters would vary and bodies could legitimately reach different verdicts on the basis of the same evidence;
- In any future concerns mechanism HEFCW should seek to ensure that students (and staff) follow the appropriate internal procedures at their institution, and HEFCW should commit to making appropriate inquiries to the institution concerned;
- HEFCW should review its current procedures for dealing with external complaints with stakeholders to ensure that they are fit for purpose in the new regulatory context.

Other comments

Other comments made included the following:

- It would be useful to set out a more definite timetable for developments and decisions regarding quality assessment, as they would apply in Wales;
- Respondents welcomed HEFCW’s intention to revise and consult on its allegations procedures to ensure they are fit for purpose and do not duplicate QAA procedures. The review should take account of the full regulatory context, including the requirements of Competition and Markets Authority legislation relating to HE;
- The importance of HEFCW continuing to be effective in its role of ensuring that institutions provided access to high quality education;
- HEFCW’s new duty posed particular issues in relation to part-time and postgraduate specialist providers (although special provision was made for the Open University in Wales), and for franchise provision under existing partnership agreements during the transitional period;
- HEFCW’s interpretation of the new statutory duty was very important, including in relation to the interpretation of whether quality meets the ‘reasonable needs of those receiving the education or undertaking the course’;
- HEFCW’s systems needed to be sufficient to enable it to assess whether or not quality was, or was likely to become, inadequate.