

Cylchlythyr | Circular

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

Date: 9 December 2015
Reference: W15/27HE
To: Heads and governing bodies of regulated institutions in Wales
Any other interested party
Response by: 29 January 2016
Contact: Name: Dr Cliona O'Neill
Telephone: 029 2068 2283
Email: cliona.oneill@hefcw.ac.uk

This circular provides a consultation on the

- use of 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;
- 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.

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Introduction

1. This circular provides 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.
2. Officers have also carried out informal consultation with the Universities Wales Pro Vice Chancellors' Learning and Teaching Advisory Group regarding the contents of this document. In addition we consulted informally on these proposals in our November 2015 workshop on the transitional statement of intervention and our approach to inadequate quality. We also discussed it at the HE in FE network meeting coordinated by Colegau Cymru in November 2015.
3. Responses relating to quality from these consultations, together with the responses to the formal consultation on the transitional statement of intervention, have been taken into account in the development of this circular, which provides a consultation on the underpinning detail, in accordance with the 2015 Act.

Definition of Quality

4. The quality of education or of a course of education, under the terms of section 18 of the 2015 Act, is deemed to be inadequate if it is not adequate to meet the reasonable needs of those receiving the education or undertaking the course. As noted in our consultation on the transitional statement of intervention (see para 9), HEFCW currently contracts with the Quality Assurance Agency for Higher Education (QAA), jointly with Universities Wales, to deliver our statutory responsibilities with regard to quality assessment. The reasonable needs are considered to be met for the purposes of the 2015 Act if an institution obtains judgements of 'Meet(s) UK expectations' or 'Commended' in all four judgement categories in QAA review. In every case, a regulated institution receiving a 'requires improvement' or 'does not meet' outcome will be deemed to have, or to be at risk of having, inadequate quality.

Background

5. 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.

6. In addition, under the 2015 Act HEFCW has responsibilities where we are satisfied that the quality of education provided by or on behalf of a regulated institution, is likely to become inadequate.
7. The QAA introduced the [Quality Code](#)¹ in 2012/13, replacing the Academic Infrastructure. It sets out the expectations which all providers of UK higher education must meet, giving providers a shared starting point for setting, describing and assuring the academic standards of higher education awards and programmes and the quality of learning opportunities. The Quality Code is the core reference point used in the review of higher education providers in the UK. Each chapter has undergone extensive consultation. The development of the Quality Code has taken a holistic approach to equality and diversity.
8. [The HERW method](#) is used to review regulated and non-regulated institutions in Wales. Following consultation, the HERW was introduced from 2014/15 to replace the previous method, which was the Institutional Review Wales. HERW results in judgements regarding whether an institution has met the appropriate standards for:
 - setting and/or maintenance of academic standards
 - provision of learning opportunities
 - provision of information
 - enhancement of the quality of students' learning opportunities.
9. The QAA has a [concerns method](#) to investigate situations where it is suspected that a UK higher education provider is failing to meet the Expectations set out in the Quality Code. This covers concerns about standards, quality and the information that providers make available in relation to their higher education provision. The method was also consulted on before its introduction. The method has been updated to take account of the 2015 Act and reflects the text included in the HERW handbook.
10. In October 2015 we published circular [W15/23HE: Consultation on Transitional Statement of Intervention](#). This included proposals for dealing with inadequate quality. The consultation specified that the arrangements set out in Annex A would be used for the purposes of assessing whether regulated institutions were of adequate quality in connection with section 18. The Annex would apply from 1 September until further notice, which was anticipated to expire on 31 July 2016, but which might be extended for a further period, subject to any changes implemented in relation to quality assessment arrangements more broadly. Circular W15/23HE did not specifically address the quality criteria to be used for section 24 of the Act.
11. In June 2015 HEFCW published a [consultation on Future approaches to quality assessment in England, Wales and Northern Ireland](#) jointly with HEFCE and the Department for Employment and Learning in Northern Ireland. A summary of the outcomes from the consultation event in Wales

¹ www.qaa.ac.uk/assuring-standards-and-quality/the-quality-code

is available on [HEFCW's website](#). Changes to quality assessment in response to the joint consultation may impact on the quality criteria which will be used from 2016/17, together with our interpretation of quality meeting the reasonable needs of students. We will consult on these changes as they emerge.

Quality likely to become inadequate

12. We consider that the current review process takes account of provision which is likely to become inadequate. This is because it looks at processes, which are likely to demonstrate problems before provision becomes inadequate.
13. The concerns method also provides an opportunity to investigate provision that is, or is likely to become, inadequate, through enabling the investigation of issues that arise between reviews.
14. As changes to quality assessment in the UK are introduced, we will keep the processes for determining quality likely to become inadequate under review, and will consult in accordance with the 2015 Act. This will include quality of non-HE provision delivered by or on behalf of regulated institutions.

Consultation

15. Each chapter of the Quality Code, the principles and handbook for the HERW method, and the method for assessing concerns in higher education have been consulted on previously. It is our intention, which has been supported by our Quality Assessment Committee, to maintain the current processes as far as possible, pending the introduction of changes resulting from the outcomes of the joint quality assessment consultation. In addition, we shall not unnecessarily duplicate the actions of bodies with authority for oversight, such as the QAA.

Quality Code

16. We intend to continue to use the Quality Code as a criterion for the assessment of higher education quality under the 2015 Act until further notice.

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? If not please explain.

Higher Education Review: Wales

17. [The handbook](#) has been updated to take account of the 2015 Act. The changes can be found in the preface to the handbook under the header: Changes to HER Wales from 1 September 2015. We intend to rely on the

judgements from the revised HERW handbook in assessing the quality of education provided by regulated institutions until further notice.

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? If not please explain.

Concerns

18. The Concerns mechanism is used to assess the quality and standards provided by or on behalf of regulated institutions, and identify provision which is, or is likely to become, inadequate. We intend to continue to rely on the outcomes of any concerns investigations until further notice.

Do you agree with the proposal to continue to rely on the outcomes of any concerns investigations until further notice? If not please explain.

19. We intend to revise our allegations procedures to ensure that they are fit for purpose in the new regulatory context. This includes ensuring that they do not duplicate the QAA procedures. We will consult on these in due course.

Responses

20. Respondents are requested to provide any further views or suggestions in connection with our approach to addressing sections 23 and 24 of the Act, as set out in this circular.
21. Please send your responses to Dr Cliona O'Neill (tel 029 2068 2283; email cliona.oneill@hefcw.ac.uk) by **29 January 2016**.

Assessing the impact of our policies

We have carried out an equality impact assessment (EIA) screening on this consultation 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. Contact equality@hefcw.ac.uk for more information about EIAs.