

Quality Strategy Network Response to consultation on the review of the UK Quality Code**1. Does this proposal provide a coherent framework for quality and standards in UK higher education?**

No.

We strongly support the ambition to eliminate duplication and, where appropriate, rationalise the current Quality Code, and to make the QC more accessible. However, there is an important distinction between improved design, taking advantage of the accessibility of online information, and the provision of sufficient support and guidance on quality and standards for the sector. The proposal for the new QC is flawed in respect of its content and structure, and, as it stands, does not provide a workable framework for quality and standards in UK Higher education. It risks damaging the international standing of UK HE, with adverse practical consequences for students and graduates. Rather than accommodating and supporting diversity, it also risks contributing to the erosion of the unified nature of the UK sector. We would identify the following issues:

- a. The draft Quality Code does not take account of, and, indeed, would contravene the Standards and Guidelines for Quality Assurance in the European Higher Education Area (2015) (ESG), which constitutes a key element of the UK's participation in the Bologna process and membership of the European Higher Education Area (EHEA). There are several aspects to this.

The omission of externality as a required feature of quality assurance. External scrutiny is an essential feature of governance practice in any sector. The absence of prescription for externally arranged reviews of provision means that the QC would not meet ESG requirements. We are also surprised that external examining does not appear as a core practice and does not appear to be mandatory. The use of external examiners is a fundamental characteristic of UK HE. In the absence of an explicit reference to their involvement, a new provider might seek to fulfil the requirements around reliability, transparency and securing standards without using external examiners.

- (i) The near-absence of the principle of partnership with students and co-creation of programmes. The omission of the principle of student partnership also seems at odds with the spirit underlying the OfS.
- (ii) The relegation of the ESG requirement for a commitment to the continuous improvement of programmes to become a matter which is wholly optional and discretionary. (We say more about our concern about this below at 1f.)
- (iii) The absence of a need for processes in relation to programme approval and review.

Failure to meet the expectations of the ESG would breach the UK's Ministerial commitments under the Bologna process, would raise questions about the UK's continued membership of the EHEA, and would potentially have adverse consequences for the mobility of students to and from Europe, the recognition of UK awards and the employability of UK graduates in Europe. Alignment of the new QC with the ESG is fundamentally important for UK HE and for UK students and graduates.

However, beyond the ESG, the features noted above are embedded in UK HE practice, not primarily because they are regulatory requirements, but because they are accepted as integral to maintaining academic standards and quality.

- b. The account of the new QC given in the consultation documents includes a draft of its top two layers, which relate to requirements (on the assumption that the Core Practices are intended to have the force of requirements), and a brief indication of the next two layers, which are optional (with some possible exceptions for some parts of the UK). We are not comfortable with endorsing the current proposals when so much remains unstated and its status, as advice and guidance, would be commensurately weak. If the top two layers, as drafted, are intended to constitute all the requirements for quality and standards in UK HE, they are grossly inadequate. It is unrealistic to believe that quality and standards in a complex and diversifying HE system can be secured on the basis of a short summary. This may be helpful as basic information for the general public, but it does not fulfil its stated purpose. Again, it is accepted that the current Code should be rationalised, but there is a trade-off between such deregulation and risk to the sector's reputation. It is essential for the collective reputation of UK HE that a robust baseline of quality is maintained. We find the implied notion that the broad content of the current Code acts as a disincentive to new would-be providers misplaced and dangerous. In our experience, new providers are in fact grateful for regulation and guidance, rather than being forced to articulate frameworks for quality and standards for themselves. Even the most established institutions make extensive reference to the Code in support of the quality and standards of their provision. The present Code is lengthy, but the remedy needed is a trip to a good hairdresser, not to the guillotine. It is lengthy not out of pedantry, but because the enterprise of higher education seeks to provide students with an experience that transforms their lives and is, consequently, correspondingly complex. It captures expertise that explains what needs to be done to allow providers to be able to operate effectively. In this context, we would also question the rapidity and method with which the review is being pursued, which contrasts sharply with the care taken to develop the present version. Do students not merit such concern?

This relates also to our concern that the QC seeks to be expressed wholly in terms of outcomes, as opposed to practice. We argue below that this is contradicted by the proposed text, but there is a broader point concerning the results for the health of the sector, especially in England. The exclusion of consideration of process is common to HEFCE's approach to provider review and to the TEF. Rather than the same approach for the QC being helpful, it in fact begs the question: if not in the Code, where will there be information on process?

We applaud the aspiration not to define requirements so closely that they inhibit innovation. However, the requirements are so loosely defined that they would be susceptible to widely divergent interpretations and would leave providers vulnerable to arbitrary judgements and leave reviews vulnerable to appeals, and would put the credibility of the QC at risk. We recommend strongly that there is further definition of requirements and clearer reference points that provide some parameters for interpretation. We have noted our concerns re the absence of any requirement for externality and say more specifically about external examining below.

- c. We would agree with the proposal, outlined at the London consultation event, that there should be a further section of the new QC comprising more detailed sets of requirements, including the qualifications frameworks, subject benchmark statements, credit

frameworks (which facilitate the movement of students between providers sought in the Act) and possibly the characteristics statements, but also a revised version of the current QC chapter on external examining, and the ESG (Part 1).

- d. We are not comfortable with the proposed nomenclature of the QC: we are concerned that elements of the advice and guidance sections could represent practice that should be reflected in the core practices. The proposed distinction between the supplementary practices and advice and guidance is not clear.
- e. The use of the term 'core practices' is problematic and confusing. There is a mismatch between the natural meaning of 'core practices' and its explanation as being focused on outcomes ('demonstrating the achievement of the outcome described'). 'Practices' is a word which suggests process (what is done and how it is done) rather than what the outcome is. A more accurate term to represent what is proposed here would be 'Core outcomes'.

Having said that, we would urge that the term 'core practices' is retained and that statements given under the heading describe practices and process. It is more useful and realistic to elaborate the fulfilment of the expectations in terms of practices and process—at a high level and without prescription of detailed implementation—than simply as outcomes. Indeed, the draft text under 'core practices' is sometimes an outcome and sometimes a process (e.g. '*Providers use assessment and classification processes...*'). The references to process give definition to the securing of standards, and further definition of process is essential if standards are to be secured (for example, the need for external examiners as part of the assessment process, the criteria to be used in their appointment, the definition of conflicts of interest, the use of their reports, the need for responses, etc).

- f. The coherence of the proposed QC is also compromised by failing to acknowledge enhancement as a defining concept of quality in Scotland and Wales. The vision for the new QC is *inter alia* as 'a definitive source of information on what 'good' looks like in UK HE'. Given that enhancement is core to 'what 'good' looks like' in Scotland and Wales, enhancement should be identified as an expectation specifically for these nations. It seems preferable to acknowledge difference and to accommodate it within the framework (for example, by designation enhancement as 'Expectation (only applicable in Scotland and Wales)') rather than to suppress it and relegate a defining concept of quality in two nations to a supplementary practice. The designation of enhancement as a regulatory obligation does not address this issue: as we note above re the ESG, enhancement is a key to the understanding of quality in Scotland—it is not merely a regulatory requirement. The coherence of the framework would be compromised more by the omission of enhancement than by an honest differentiation between the nations. As it stands, the proposed QC appears Anglo-centric and seeks to 'unify' by undervaluing the Scottish and Welsh approach to quality.
- g. Also re enhancement, given the lack of information on how OfS might adopt the new QC, would it be the intention that QAA would differentiate between baseline quality requirements and enhancement, given that the OfS consultation document explicitly states that continuous improvement is not part of its remit? And, as such, does the QAA view 'Core Practices' as baseline requirements for OfS registration?
- h. We are also concerned that the consultation includes reference to the prospect that, if the QC is deemed unfit for purpose, then the OfS itself may develop an alternative. This

seems to us to both undermine the principle of co-regulation with the sector and to be ultimately self-defeating: what gives the current Code much of its validity is that it was developed by sector representatives. To lose this approach seems not just misguided with respect to the interests of students, but to challenge the very autonomy of the sector.

2. Do the revised Expectations appropriately express the outcomes students and stakeholders should expect from higher education providers?

Standards

First statement: We would suggest that the phrase ‘the value of qualifications’ is ambiguous and unhelpful. This phrase appears in one of the quality objectives in the OfS consultation, and, in that context, appears to relate to concerns about grade inflation. However, while there is grade improvement in the sector, grade inflation has not been proven. Surely, there should be no place in a national framework that is intended to support the reputation of UK HE for an unproven assertion? Moreover, in the current context, the meaning of the expression is not clear: it could easily be interpreted to mean the value of a degree in the employment market. Given the changing employment market and changes in the discipline/professional area, ensuring the value of an award over time seems a doubtful commitment: for example, an agriculture degree awarded in 1960, in itself and without further experience, might well be of limited value (especially in a sector-specific job market) in 2017.

The statement would be clearer if the reference to value were omitted and the requirement about the consistency of awards over time clarified. We would suggest: *‘The provider ensures the qualifications awarded to students are, and remain, in line with sector-recognised standards’*.

We consider the **second Standards Expectation** to be appropriate and well expressed.

Quality:

We suggest the **first statement** would be better to read *‘The provider delivers current well-designed courses...’* However, including a specific reference to admissions, rather than a broader reference to the student lifecycle seems a little odd. In the context of increased focus on access and participation also, the statement could be strengthened worded: *‘The provider supports students from all backgrounds throughout the whole student journey from admissions through progression to achievement so as to benefit from a high-quality academic experience.’* might be more appropriate.

Again, we recognise that the OfS is explicit that there is no obligation on providers in England to enhance their provision and that continued provision at the baseline is acceptable. However, as noted above, enhancement is a central, non-negotiable element of quality in Scotland and Wales—and defines the review method in Scotland. As indicated above, we suggest that there should be an additional Expectation designated as ‘Scotland and Wales only’.

3. Are the core practices for standards appropriate and flexible enough to:

a. Serve the needs of all nations in the UK?

See comment in 1(f): the failure to acknowledge enhancement as a core practice for Scotland and Wales means that the core practices do not serve the needs of all nations in the UK. Other issues are not nation-specific.

b. Serve the needs of an increasingly diverse sector?

Issues are general and relate to the sector as a whole, not specifically its diversity or particular segments.

It would help if there were greater consistency in the phrasing of the core practices: some are ideal outcomes and others are practices. If there are to be ideal outcomes, they should be identified as such. For example, *'Students achieve the threshold academic standards set out in the qualifications framework'*—we hope all students would, but the maintenance of standards will mean that a number of students will not achieve the threshold academic standard (and will not get an award). If the new QC is to be accessible and transparent, its statements should not assume an implicit understanding that they are to be read as ideals.

Perhaps this could be reformulated as *'Providers offer courses and those with degree-awarding powers award qualifications which are consistent with the threshold academic standards set out in the qualifications framework'*. A similar model could be used in the second statement.

Statement 3 seems fine.

Statement 4: We would suggest that this statement includes some reference to external/independent scrutiny. Given the concerns around standards and grade inflation and the investment by the sector and the HEA in strengthening the external examining system, the importance of external examining and involvement of external experts from HE, industry and the professions should be acknowledged as a core practice. If external scrutiny through external examining is not a core practice, what is?

4. Are the core practices for quality appropriate and flexible enough to:

a. Serve the needs of all nations in the UK?

b. Serve the needs of an increasingly diverse sector?

The term 'high-quality' is not defined, explained, or contextualised in relation to other reference points, and, in consequence, is vulnerable to misunderstanding and arbitrary interpretation. The current QC provides sufficient context for its statements to allow a shared understanding of the meaning of terms to be derived. This deficiency with the formulation of the draft core practices might be remedied by the advice and guidance section, but, again, the status and use of the advice and guidance for purpose of understanding key terms would need to be made clear.

Subject to this qualification, the first three statements are acceptable. It should, however, be noted that none is expressed as a student outcome. The term 'experienced' staff might more appropriately be replaced with 'skilled'. Experienced could exclude staff new to HE or those coming from industry.

Statements 4 (feedback from students) and 5 (use outcomes of appeals as a source for improvement) are important elements of good practice. They introduce an enhancement agenda as a requirement, however, which the draft QC otherwise explicitly disclaims.

They prescribe two sources for enhancement without acknowledging others (e.g. external examiners' reports, peer review, etc). These two elements feel more detailed and specific than the rest of the core practices and relate to how the provider manages quality. If quality enhancement is not a requirement (since there is a reliance on market forces and providers may choose not to enhance), we are not clear why these two elements are here; and if quality enhancement is a requirement, it would be better to have a broader statement which goes beyond these two prescriptive examples.

We would suggest that there should be a broader core practice statement about reviewing provision, which might include the current statement about student feedback and reference to consideration of relevant data. Such a statement would not prescribe how providers reviewed their courses and would not constrain innovation. It would also help to fulfil the requirements of the ESG.

Statement 4 (feedback from students): This key and aspect of maintaining quality is damagingly understated in the proposed QC. We would strongly argue that this statement is too reductive and needs to be strengthened and should include the principles of student engagement and opportunities for collective student representation. Collective student representation, through students' unions and students' associations, supports providers in interpreting and understanding students' views, champions the student interest, are intrinsic to UK HE and play an important role in holding providers to account. A students' union or association is an important factor in ensuring that students' voices are effective and have impact. The focus on student outcomes data without considering student engagement in the development of programmes attenuates the presence of students at the heart of the system and would impoverish UK higher education. We would suggest that the thinking and language in the current QC B5 should more fully inform the statement of core practice in relation to students' views.

Statement 6 (PGR): Should this be prefaced with '*Where provided,...*'? We note also that PGR students are 'supported to achieve successful academic, personal and professional outcomes'. This should apply to all students, not simply PGRs. We would suggest that a separate core practice statement with a similar formulation be included which refers to support for all students.

Statement 7 relating to working in partnership with other organisations needs rewording. The validating institution is not responsible for the quality of the student academic experience – this has to be the responsibility of the delivery organisation. There should be strengthened wording around collaboration, to include the requirement for a partnership agreement between two collaborating organisations. New to the sector institutions will need a robust framework within which to work before they begin to collaborate.

Statement 8 (admissions?): We think that this reads oddly. 'Students being matched to appropriate courses' implies a more directive approach towards admissions than the UK system allows. The simpler '*being admitted*' would be better. The second half of the statement '[a reliable and fair admission system which results in students being]... provided with the support necessary for a high-quality academic experience and successful completion' goes far beyond what can be provided by an admissions system. We suggest this should be divided into two separate 'core practice' statements:

- a. *'Admissions system results in students being admitted to appropriate courses from which they can benefit and which they have a fair opportunity to complete successfully'*
- b. *'Students are supported to achieve successful academic, personal and professional outcomes'* (which is derived from Statement 6 and is distinct from Statements 1-3).

5. Does the proposal to develop supplementary practices outlined above:

- a. Serve the needs of all nations in the UK?**
- b. Serve the needs of an increasingly diverse sector?**

As noted above, without more indication of the content of the advice and guidance, we are not comfortable that the nomenclature for the layers of the QC is appropriate. As it stands, the distinction between Supplementary practice and Advice and guidance is not clear.

We are concerned that the definition of enhancement by reference to a limited set of 'key features of performance' may be unduly constraining and would suggest instead that the supplementary practices should promote reflective practices and process, indicate underlying principles, and suggest a range of possible practice. It should not be prescriptive in relation to either process or specific outcomes. It would be unfortunate if the supplementary practices were too closely associated with the TEF. Statements re enhancement-led approaches will require to be compatible with the Scottish approach, which makes reference to self-evaluation, the use of external reference points and the use of a strategic approach to the management of enhancement: it is not merely a list of possible topics a provider might select to try to improve.

The range of topics seems broadly appropriate, but we would suggest that useful additions would include student engagement (if it is not fully incorporated into core practices) and enhancement-led review processes.

Additionally, there is no reference to the postgraduate research experience in the context of enhancing provision – this should be addressed.

6. How should we involve the UK nations, the higher education sector, students and other stakeholders (such as graduate employers) in the future development and management of the Quality Code?

We would suggest that the Quality Code should be subject to regular review (perhaps every five years) and that the review should be informed by stakeholder consultations and international best practice in quality assurance.