

INDEPENDENT HIGHER EDUCATION

IHE response to QAA's UK Quality Code for
Higher Education consultation

May 2024

Approach to development

Question 1 - Have you participated in any of the UK Quality Code redevelopment activities?

No, IHE is coming to this consultation afresh.

Overarching commentary on the Quality Code

Sector-Agreed Principles

Question 2 - Do the Principles and Key Practices offer a useful framework for developing, supporting and enhancing your internal quality practices and satisfying external requirements?

No.

IHE welcomes an approach to the Quality Code which reflects a need for unification in the higher education quality landscape across the UK nations, as well as futureproofing to ensure that the Code remains fit for purpose for the maximum period before requiring further large-scale review. The review by the QAA has been collaborative and transparent, ensuring that all who wished to participate could do so. QAA should be commended for their approach to sector consultation.

IHE members have not indicated any concern with the overarching Principles in relation to provision on the FHEQ; this framework covers the areas which reflect their own areas of work regardless of which stage of development they are at within their businesses as SMEs. It should

be noted that the selection of 'no' in response to this question is to reflect hesitancy around the framing of the Code as applicable across tertiary education, and the general lack of perceived applicability of the Code from members who offer programmes on the RQF. This is discussed further below, particularly in our responses to questions 3 and 4.

Some members in England raised concerns over potential tensions between expectations in the Key Practices, and other external expectations, namely the Office for Students (OfS) conditions of registration. IHE members are predominantly SMEs and it is likely that these small teams do not have the staff resources to dedicate to meeting both external requirements, such as those for OfS registration (key to meeting internal targets), as well as electing to map their practices against the Code (seen as elective by IHE members in England who are focused on meeting Designated Quality Body needs).

The duality is further complicated by the lack of common terminology between the English regulator and the QAA. IHE understands that QAA have chosen to align terminology with European Standards and Guidelines, and that QAA does plan to undertake some mapping between the Code and the OfS regulations to help with this divergence in terminology. Providing mapping of this nature will be incredibly helpful for maintaining engagement with the Code.

Despite the challenge around language, and the resources required to manage multiple reference points, members are very welcoming of the new Code in their work with qualifications on the FHEQ, viewing it as another helpful mechanism for checking their approaches in key areas, to be deployed in the ways they see most useful for enhancement.

Members have also noted that QAA intend mapping practice to the Code will provide assurance of alignment to European Standards and Guidelines. Not all providers will be undertaking QAA reviews, or potentially even internally mapping to the Code, instead focusing resource on meeting other external requirements such as those of regulatory conditions and the DQB (this is most relevant to English providers). Alignment to the Code – and therefore the European Standards and Guidelines – cannot therefore be assumed as applying to the whole UK sector in the same way as it used to. IHE members continue to hope for a return of the QAA to the role of DQB in the future, should this become feasible.

While the Principles and Key Practices provide a framework and supporting structure, it will not be enough without accompanying advice and guidance, which is still due for creation. It remains essential that the whole sector is able to access this advice and guidance as it underpins the framework. This is what sets the Code apart from sector quality benchmark practices: it is sourced from the whole sector and is a distilling of the knowledge of multiple – almost countless – experts. This forms a transparent basis that all staff, not just those from quality roles, can draw on – whether they are writing their first course handbook as a new programme administrator, designing a new module to propose to a programme leader, or writing an admissions policy for the first cohort of a new provider. Without easily accessible advice and guidance, such staff – who may not have support networks to work within – will be set back and deterred, or student experience will suffer.

While the Principles and Key Practices provide the framework, it is the underpinning advice and guidance that makes it accessible and usable. There will always be some institutions who are not QAA members; QAA membership should therefore not pose a barrier to gaining access to the full advice and guidance on the Code when it is particularly useful for those taking their first steps in the higher education regulatory system (and are not yet ready to embark on full QAA membership). The availability of a fully accessible and transparent set of advice and guidance is crucial so that all students benefit from the distilled knowledge of the sector who have produced it.

Tertiary education

Question 3 - Do you consider that the Quality Code can be applied across tertiary education?

No.

For many IHE members, they deliver awards both below, including and above level 6 on the FHEQ and RQF. The Code has been designed through a wide consultation process, but this has not reached the type of provider running courses such as a level 4 technical cookery course, which is highly prized and internationally recognised but on the RQF not the FHEQ. A tertiary quality code could be interpreted as applicable to this course, but this expectation would not be realistic.

The RQF is increasingly moving towards an emphasis on competencies, on employer demand and employer engagement, and on student outcomes. It is not clear from this revision that the Code is appropriate to support providers on the RQF to deliver against those criteria. The RQF is also controlled by awarding bodies, who are not the body providing the teaching and learning. This division makes some aspects of the new Code difficult to map against. Specific advice and guidance would be needed to ensure the mapping was clear for those undertaking it, and those reviewing/evaluating providers who rely on the Code for domestic or international frameworks/partnerships.

Question 4 - In recognition of the fact that the Quality Code will be used in a wider range of settings beyond higher education, what is your view of renaming it as 'The UK Quality Code for Tertiary Education'?

As it cannot be used equally in all tertiary settings (see our response to question 3), it does not seem appropriate to rename the Code as proposed.

The Sector-Agreed Principles and Key Practices

Clarity on what constitutes a Principle

Question 5 - Is this a clear format for expressing the Sector-Agreed Principles?

Yes.

Principle 1

Question 6 - Does Principle 1 make it clear what is expected of a provider?

Yes.

Question 7 - Do the Key Practices under Principle 1 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, "*Academic standards and the quality of the student learning experience are the responsibility of each provider*" will appear very differently in a franchised provider or a study abroad provider than it would in a traditional model of higher education.

This will also be the case for providers on the RQF who may not have responsibility for academic standards, as this is the purview of the awarding body. Those providers on the RQF are responsible for the student learning experience but not the standards, so cannot meet this key practice.

Principle 2

Question 8 - Does Principle 2 make it clear what is expected of a provider?

Yes.

Question 9 - Do the Key Practices under Principle 2 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

The clarification around student representative bodies is particularly useful.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, there may not be student representation for all characteristics of students in very small cohorts, where certain demographics make up particularly low numbers. Inclusive approaches should be considered as one of the types of practice which is useful in such circumstances.

It would also be helpful if QAA reflected in the advice and guidance how student representation could look in modular learning, within short courses, for employer-led courses and apprenticeships in anticipation of applying this Code across tertiary education.

Principle 3

Question 10 - Does Principle 3 make it clear what is expected of a provider?

Yes.

Question 11 - Do the Key Practices under Principle 3 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, online providers may struggle with interpretation of Key Practices which imply a physical resource. Additionally, the mention of human resource may be interpreted as HR, which does not always exist as a department or discreet function in SMEs and may be referring simply to staff resource.

Academic standards for providers of teaching and learning delivering RQF courses remains an issue. We would strongly encourage QAA to review if this is appropriate for the full tertiary education sector or if modifications will be possible to make it so.

Principle 4

Question 12 - Does Principle 4 make it clear what is expected of a provider?

Yes.

Question 13 - Do the Key Practices under Principle 4 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, it should be acknowledged that there can be difficulties in some partnerships with access to data for meeting purposes such as regulation or evaluation (where teaching is undertaken by a franchise partner but data is held by an awarding partner). Advice and guidance should elaborate on the Key Practice in 'e' to allow both parties to undertake their responsibilities with maximum efficiency for the benefit of students.

Principle 5

Question 14 - Does Principle 5 make it clear what is expected of a provider?

Yes.

Question 15 - Do the Key Practices under Principle 5 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, providers of study abroad courses will have monitoring, enhancement and review processes in place but may not have control over the academic standards within the courses delivered. As noted above, there will be difficulty for those providing qualifications on the RQF in aligning with some of these Key Practices where the awarding body has responsibility for academic standards.

Principle 6

Question 16 - Does Principle 6 make it clear what is expected of a provider?

Yes.

Question 17 - Do the Key Practices under Principle 6 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, smaller and newer providers can find it difficult to access the opportunities they seek such as external examiner roles, and a strategy may reflect this. It should be recognised that there may need to be more focus on industry as externality, for more vocational courses. It would be useful for advice and guidance on key practice 'c' to point to the responsibilities of awarding partners to facilitate development of academic staff at partnership institutions in external review.

Principle 7

Question 18 - Does Principle 7 make it clear what is expected of a provider?

Yes.

Question 19 - Do the Key Practices under Principle 7 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, although key practice 'b' has been amended since the November version of the Code to take into account the risk of holding multiple partnerships, it may now be written from the perspective of the awarding partners and no longer consider the delivery partner.

Some providers will have numerous external partners who design the programmes and only deliver on behalf of them. Certain expectations would not be practical, such as holding the programme design documentation when operating under a franchise model, or being able to publish "*policies and processes that support the design, development, approval, modification and review of programmes.*" This would also be difficult for study abroad providers who may have dozens of partners and only deliver components of programmes.

Principle 8

Question 20 - Does Principle 8 make it clear what is expected of a provider?

No.

IHE members recommended a change to some words to emphasise the shared nature of academic partnerships and redress the power imbalance that can occur in these relationships.

Amended words are highlighted in capitals:

"Providers and their partners AGREE proportionate arrangements FOR effective governance to secure the academic standards and enhance the quality of programmes that are delivered in partnership with others. Organisations involved in partnership arrangements agree and communicate the mutual and specific responsibilities in relation to delivering, monitoring, evaluating, assuring and enhancing the learning experience"

Question 20 - Do the Key Practices under Principle 8 make it clear how a provider can demonstrate alignment to the Principle?

No.

IHE members highlighted that it was not sufficiently clear the Key Practices in 'd' were referring to TNE provision, and this could be stipulated rather than alluded to.

Principle 9

Question 22 - Does Principle 9 make it clear what is expected of a provider?

Yes.

Question 23 - Do the Key Practices under Principle 9 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Principle 10

Question 24 - Does Principle 10 make it clear what is expected of a provider?

Yes.

Question 25 - Do the Key Practices under Principle 10 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Principle 11

Question 26 - Does Principle 11 make it clear what is expected of a provider?

Yes.

Question 27 - Do the Key Practices under Principle 11 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

Many of the Key Practices for Principle 11 assume that a provider has control over the curriculum, which may not be the case. Guidance on aligning with expectations for research/scholarship at every level in institutions would also be useful, for example at level 4 on the RQF.

Principle 12

Question 28 - Does Principle 12 make it clear what is expected of a provider?

Yes.

Question 29 - Do the Key Practices under Principle 12 make it clear how a provider can demonstrate alignment to the Principle?

Yes.

Although the Key Practices are clear, IHE would still recommend carefully worded advice and guidance to ensure that a range of approaches is established as acceptable for meeting sector alignment to the Principles, which takes into account those in partnership arrangements or with nuances of provider type.

For instance, advice and guidance should be used to give examples of transparency in handling complaints when operating in partnership with shared responsibilities for areas of provision.

The Glossary and Further Comments

Question 30 - Is the glossary useful in helping you to understand key terms used in the Quality Code?

Yes.

Further Comments

Question 31 - Do you have any further comments to make about the proposed 2024 edition of the Quality Code?

None.

Contact IHE

- For more information, or to speak to someone about this consultation response, please email info@ihe.ac.uk
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