

Draft protocol for flexibility in the quality assurance system for higher education in England and Northern Ireland

1 October 2010

Purpose

1. This draft protocol has been produced by the Quality in Higher Education Group, which is jointly secretaried by HEFCE, DELNI, Universities UK and GuildHE ('the sponsoring bodies'). It explains how future flexibility in the quality assurance system for higher education in England and Northern Ireland will be managed, with particular reference to institutional review. It is designed to be read alongside the QAA's draft operational description for institutional review in England and NI, published on 1 October 2010.
2. This draft protocol will be finalised following the closure of the QAA's consultation on the draft operational description for institutional review (26 November 2010). It will be finalised by the sponsoring body Boards, on advice from the Quality in Higher Education Group. The final version of the protocol will be then published at the same time as the QAA's Handbook for institutional review, in 2011.
3. For more information on the Quality in Higher Education Group (QHEG), please see www.universitiesuk.ac.uk/quality
4. Any comments on the protocol may be sent to the Chair of QHEG, Professor Philip Jones, via the secretariat: Emma Creasey at HEFCE (e.creasey@hefce.ac.uk); Fiona Hoban at Universities UK (fiona.hoban@universitiesuk.ac.uk); Helen Bowles at GuildHE (helen.bowles@guildhe.ac.uk).

Protocol

5. The sponsoring bodies (HEFCE, DELNI, Universities UK and GuildHE), in discussion with the QAA, NUS and other stakeholders, have agreed that the quality assurance system should be more flexible, with the Quality in HE Group having the ability to recommend developments to it. This protocol sets out how this flexibility will be appropriately managed, in order to operate fairly and effectively. It pays particular attention to the role of the Quality in HE Group (QHEG), and is informed by consultation responses. It concentrates in particular on institutional review, which will be more flexible and responsive from 2011-12. Further background to the protocol is available at [Annex A](#).

1) Focus of institutional review beyond the core topics (the 'thematic element')

6. It has been agreed that, as well as the 'core', the sponsoring bodies "would expect all institutional audits [from 2011-12] to include a thematic element which will vary from time to time. While individual institutions should not have a determining role, care should be taken to ensure that the selection of themes is relevant to the institution concerned."¹

7. The QAA will, via the QHEG Secretariat (HEFCE, DELNI, Universities UK and GuildHE), make recommendations to the QHEG regarding potential themes for each year of institutional review (previously referred to as institutional audit). Individual QHEG members will also have the opportunity to make their own recommendations for potential themes, and should do this formally in advance of the relevant QHEG meeting. Whether recommendations are made by QAA or by individual QHEG members, they should be accompanied by an explanation of why the particular theme is considered worthy of more in-depth analysis. Recommendations are likely to be existing focuses of institutional review which are considered to be particularly deserving of additional attention, for example, in order to explore in more depth any areas where HEIs are attracting legitimate public interest or concern, or areas which may constitute current good practice.

8. For the first year of operation (2011-12), QHEG will select one theme which will apply to all HE institutions undergoing review in that year. QHEG and the QAA will bear in mind the concern expressed in responses to HEFCE 2009/47 that a theme would be irrelevant to a particular institution, and will ensure that the themes are sufficiently broad to avoid such a difficulty. In the second and subsequent years, QHEG will consider whether there is a need for more than one theme for that year, in order to ensure that no institution undergoes a review with a theme which is not relevant to them. It would not however, be the intention that any single institutional review would consider more than one of the themes agreed by QHEG for that year in its thematic element.

1. Extract from June 2010 specification letter from sponsoring bodies to the QAA, published at <http://www.hefce.ac.uk/learning/qual/future/>

9. If there is disagreement in the Group regarding the theme(s), then the Group will accept the majority view, with the proviso that no theme will be agreed unless it is acceptable to both the QAA Chief Executive and the QAA nomination to the Group.
10. The QHEG are not expected to see the names of individual institutions which will be subject to the chosen theme(s); this would not be appropriate, especially given the institutional members on QHEG.
11. Themes will be decided by QHEG annually, and the QAA will publish the chosen theme(s) approximately six months before the start of the academic year for any particular annual tranche of review. In other words, if the review year begins in September, the theme will be published by the end of March of that calendar year. At the same time, QAA will clarify which external reference points relate to the topic, and the main focuses of the thematic element of the review. As with the rest of the review process, it is envisaged that any documentation which the institution might need to provide for the thematic element will be that already existing in the institution.

2) The definition of a minor/ more substantive change in procedure

12. In a more flexible quality assurance system, different processes will be required to manage changes in procedure, depending on whether those changes are considered to be minor or more substantive. This particularly applies to institutional review.
13. The sponsoring bodies have agreed that the institutional review process should be organised on a rolling basis rather than as a fixed cycle, with the possibility of both minor and substantive changes to the process being introduced at any point without needing to wait for the end of a six year cycle. As with the thematic element, this will also need to be managed carefully in order to operate fairly and efficiently, and to avoid knee-jerk reactions.
14. Substantive changes will, as now, be subject to consultation with the sector. They will then need to be agreed by the sponsoring body Boards, based on recommendations by QHEG in the light of the consultation responses.
15. Substantive changes are envisaged to include changes which affect the underlying principles of the review process, such as how judgments are arrived at, the core elements of the review, frequency of review, how different types of provision (for example, collaborative provision) are dealt with by review or substantive new categories of public information. (These are possible examples rather than an exhaustive list). The sponsoring bodies have already consulted on one substantive change to be introduced later than the start of the new method, which is the introduction of a new judgement relating to public information.
16. A substantive change would be introduced in time for the beginning of a tranche of institutional reviews (i.e. those operating within one academic year) in order to be able to distinguish easily the point at which different versions of the method became operational.

This will also provide time to brief institutions adequately and, where necessary, provide refresher training or briefing for review team members.

17. QAA will publish any agreed substantive changes six months before the start of the academic year for any particular annual tranche of review. In other words, if the review year begins in September, changes will be published in March of that calendar year. At the same time QAA will clarify whether there are any changes to external reference points associated with the process change.

18. Minor changes are envisaged as changes to the operation of the process, rather than to the principles underpinning it. Examples might include the content of the thematic element, or the relationship of QAA's other review processes to review and how information is transferred between them. Minor changes will be agreed by QHEG and introduced into the process by QAA without further consultation. Changes will be communicated to institutions and review teams and the date from which the change will be operational will be made clear. It is envisaged that no minor change will affect a review that has already started. For this purpose start of review will be deemed to be six weeks before the Preparatory meeting (when it might be assumed that institutions will have already briefed themselves on the process). A minor change would affect all other reviews yet to be carried out.

19. In addition, QAA will be able to make changes to the operation of the review process without reference to the QHEG or consultation. Operational changes which QAA could implement without further approval or consultation could include matters such as the medium chosen to publish reports or how unsolicited information is dealt with by a review team. (Again, these are possible examples rather than an exhaustive list).

Annex A

Background to the development of this protocol

20. The sponsoring bodies (HEFCE, DELNI, Universities UK and GuildHE) have agreed that the quality assurance system should be more flexible, with QHEG having the ability to recommend developments to it. In particular, these developments are likely to centre on institutional review, which will be more flexible and responsive from 2011-12. This flexibility is intended to support both quality assurance and enhancement by enabling institutional review:

- to be more responsive to the changing HE environment, through providing useful information on how HEIs are handling any relatively new developments which might potentially impact on quality and standards
- to explore in more depth any areas where HEIs are attracting legitimate public interest or concern, or which areas which may constitute current good practice.

21. It will also enable the funding council to satisfy Ministers, Parliament and other interested parties that the public interests are being met and that public money is being well spent.

22. It was agreed that there should be a protocol so that this flexibility could be appropriately managed, in order to operate fairly and efficiently, and to avoid knee-jerk reactions. The joint HEFCE/ DELNI/ UUK/ GuildHE "Future arrangements for quality assurance in England and Northern Ireland: outcomes of consultation" circular (HEFCE 2010/17) noted that:

Many respondents [to HEFCE 2009/47] commented on the need to balance flexibility with comparability. If the audit process were changed, it is difficult to see how an institution audited after the change could be compared to one audited before. We recognise these concerns, but we consider it is important to develop a more responsive and hence sustainable system that continues to command widespread confidence. The Quality in HE Group, which includes sector representation, will take its responsibility for making changes very seriously, and will publish a protocol setting out how it will do this. (Para 44b)

23. Paragraphs 45 and 46 of HEFCE 2010/17 state:

"Following analysis [of the consultation HEFCE 2009/47]... we recognise the importance that institutions attach to comparability of the outcomes from audit. However, we also recognise that circumstances may change over time and that some degree of flexibility may be needed to reflect a changing context in higher education. We do not wish to see the creation of an unstable and unfair system, and accordingly we will seek:

- a strong and published protocol, to be developed by the Quality in HE Group, on minor and substantive changes
- an acceptable notice period for changes
- a clear set of common criteria on which institutions will be judged
- communication of thematic results without their being part of the formal judgement
- a more focused core, so that the overall demands on HEIs are not increased, so far as possible.

24. The Boards of the sponsoring bodies have therefore agreed that:

a. QAA should be asked to ensure that the operational description for institutional audit explains clearly how the process will work. Where appropriate, QAA should discuss this with the sponsoring bodies and with the Quality in HE Group. In particular, the operational description should set out:

- how procedural changes to the audit method will be identified and communicated
- the common criteria against which institutions will be judged
- that all institutional audits will include a thematic element
- how themes will be communicated to the institution
- how the results of themes will be communicated (without being part of the formal judgement)
- how information from other sources will be incorporated.

b. The Quality in HE Group should be asked to ensure it takes a robust, evidence-based approach to any changes made in the audit method, having due regard for institutional concerns about comparability and demands on resources, and discussing options with QAA as appropriate. In particular it should consider:

- how 'minor' and 'substantive' changes will be selected and implemented
- how themes will be selected, and how institutional mission and focus should/could be taken into account in choosing these."

25. The Terms of Reference of the Quality in HE Group state that the Group will:

"make proposals regarding the development of the quality assurance system in England and NI" "according to a protocol to be agreed by the Boards of the sponsoring bodies. This protocol will set out:

- the definition of a minor/ more substantive change in procedure (including the focus of audit beyond the core topics), and how these will be dealt with
- kinds of changes which the QAA can make without seeking the views of the group or the sponsoring bodies

- length of notice that institutions should receive for minor and substantive changes to audit or review
- and any other necessary issues.

It will be informed by responses to the December 2009 consultation on the future of quality assurance arrangements in England and NI, and will be guided by the principles of flexibility and responsiveness.”

“For substantive changes, the group will recommend a course of action to the Boards of the sponsoring bodies, including any arrangements for consultation as necessary. For minor changes, the group will have delegated authority from the sponsoring bodies to ask the relevant organisation to take the changes forward.”

26. A footnote defines minor changes. “‘Minor changes’ will not include minor changes in the operational method, which the QAA will have autonomy to make. This will be clarified further when the definition of a ‘minor change’ is agreed in the protocol.”