

Professional, statutory and regulatory  
bodies: an exploration of their  
engagement with higher education

Higher  
Education  
Better  
Regulation  
Group

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# About HEBRG

The Higher Education Better Regulation Group (HEBRG) was established in early 2010 as the successor to the Higher Education Regulation Review Group (HERRG). It is supported by Universities UK and GuildHE and funded by the Higher Education Funding Council for England, the Scottish Funding Council, the Higher Education Funding Council for Wales and the Department for Employment and Learning (Northern Ireland).

HEBRG is committed to raising the profile of better regulation for higher education, increasing understanding of its benefits and enhancing communication between the sector and its regulators.

HEBRG has an independent chair, Sir Graeme Catto, and the membership is composed of representatives from higher education institutions, regulators, funding bodies, sector agencies, representative bodies and government departments.

For more information on HEBRG, please visit [www.hebettereregulation.ac.uk](http://www.hebettereregulation.ac.uk)

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# EXECUTIVE SUMMARY

HEBRG has examined the longstanding challenges in defining professional, statutory and regulatory bodies (PSRBs) and how they work with higher education (HE). It has reviewed estimations measuring the impact of engagement with PSRBs and initiatives that have considered PSRBs within the larger framework of higher education regulation. This report identifies the main areas of engagement between higher education institutions (HEIs) and PSRBs, and highlights their importance within the context of the complex and rapidly evolving regulatory framework for HE. A better understanding of the primary engagements between HEIs and PSRBs will be useful as the sector looks to function efficiently and effectively in a new regulatory landscape and under increased financial pressure.

The four main outcomes of this work are:

- This report, *Professional, Statutory and Regulatory Bodies: An Exploration of their Engagement with Higher Education*, published on the HEBRG website (March 2011).
- An online database of more than 130 PSRBs engaging with HEIs, which includes information on their self-reported activities, relevant subject areas and geographical remit. This is a working resource to aid understanding of this area of HE regulation and will be updated to incorporate feedback from PSRBs and the HE sector.
- A two-stage contribution to and analysis of the sector-wide *Survey of University Statutory and External Returns*. This survey was supported by the Higher Education Statistics Agency (HESA) and the Association of Heads of University Administrators (AHUA), and was conducted in November 2010. Early findings were presented at the HEBRG conference on 9 December 2010. A second stage of follow-up work will be led by HEBRG in the first half of 2011, culminating in a checklist of returns for institutions to use to manage external data requests more efficiently.
- A plain-English statement written in collaboration with the Quality in Higher Education Group (QHEG) to explain the roles played by PSRBs in HE, generally and in relation to the quality assurance system in particular.

## Report conclusions

A review of sources published between 1995 and 2010 that considered the relationship between PSRBs and HEIs indicates the following:

- Significant challenges in presenting a succinct mapping of engagement persist because PSRBs are varied in terms of their status and role. It should not be assumed that they all function in the same way; and levels of engagement with HEIs vary considerably.
- Although the issue of clearly defining PSRBs and their role in HE remains complex, there have been some successful initiatives to streamline regulatory requirements and reduce the cost of these for HEIs, including the *Higher Education Concordat on Quality Assurance and Data Collection*, and Memoranda of Understanding with the Quality Assurance Agency (QAA).

- Increasingly, HEIs are taking an institutional overview of PSRB engagement and defining institutional procedures in order to align PSRB collaborations strategically with their individual mission statements and increase internal efficiency. However, early findings from the Survey of University Statutory and External Returns suggest that further guidance could be given to support institutions in achieving a complete single view of their external reporting requirements.

## Recommendations

- There is an ongoing need for the HE sector and PSRBs to improve the consistency of the language and terminology used to define PSRBs' status, roles and key activities. This will become more important with the sector's current focus on improving public information to enable better-informed student choice.
- Umbrella groups and inter-professional groupings of professional bodies and regulators have established channels for discussing areas of mutual interest and sharing good practice. Their expertise should be recognised and their work should be more widely disseminated.
- HEBRG should collaborate with QAA, HESA, sector representatives, funding bodies and PSRBs to enhance engagement with PSRBs and maintain and update the HEBRG database of PSRBs as a working resource.
- HEBRG and HESA should undertake further analysis of the data from the University Statutory and External Returns survey to identify areas where greater alignment could be sought between PSRB requirements for data and the services offered by HESA.
- HEBRG should take forward work to secure the commitment of PSRBs to the new *Principles of Better Regulation for Higher Education in the United Kingdom* with the aim of increasing regulatory efficiency, both for HEIs and the PSRBs themselves.

# INTRODUCTION

## Context

It is widely acknowledged that engagement between HEIs and PSRBs is essential. Access to professions is a key element of the Government's plans to increase social mobility, and PSRB involvement with HE and Further Education (FE) is of high importance. Relationships between HEIs and PSRBs are complex. A clear, sector-wide set of information about these engagements has not been identified to date, and there is a need for this information to be accessible to stakeholders in the sector including institutions, professional bodies, students, employers and the general public.

While the final report of the Chair of the former HERRG acknowledged that progress towards better regulation in HE had been made, it was noted that one of the areas of unfinished business where further work was desirable was in relation to the role of PSRBs as regulators of HE provision.<sup>1</sup> The HERRG report recommended that the HE sector should provide leadership to government as it continues to promote better regulation. The issue of clearly defining PSRBs and their role in HE is longstanding and remains problematic.<sup>2</sup> HEBRG recognises the good work that HERRG achieved in reviewing the regulation of professional education and has agreed that professional education remains a priority.

As the demand for clear public information about HE grows, it has been established that definitions of PSRBs, accreditation, and other forms of engagement with the HE sector may not be communicated in a consistent manner across the sector and by key partners in engagements. In order to promote a better understanding of the essential relationship between institutions and PSRBs, there is a need to clarify the multiple combinations of status and role of professional and regulatory bodies, and the nature of their engagements with HE. It may also lead to the identification of further opportunities to secure proportionate, risk-based regulation.

The primary questions that drive HEBRG's interest in defining and understanding these engagements are: how many PSRBs does the HE sector engage with? What is the nature of these engagements? How do HEIs and PSRBs communicate information about these engagements to internal and external audiences? What has been done to streamline engagement processes, related data collection and quality assurance responsibilities, and what plans are in place for further improvements?

Previous reports have given varying estimates of the number of PSRBs that HEIs engage with, making it difficult to gauge the true extent of the burden of accountability in regulating professional education. This project aims to identify and define the main areas of engagement between HEIs and PSRBs as a starting point for addressing specific points of intersection and where they might be better aligned with the processes of each. Major changes to the funding and student finance structures and HE regulatory framework in England are forthcoming; so a better understanding of the primary engagements between HEIs and PSRBs will be useful as the sector looks to function efficiently and effectively in a new regulatory landscape and under increased financial pressure.

## Objectives

- To locate the intersections of HEIs and PSRBs within the complex and rapidly evolving regulatory framework for HE
- To identify trends in the ways HEIs collect and disseminate public information about their work with PSRBs and integrate the principles of better regulation into increased efficiency and streamlined processes
- To clarify and highlight the key role of PSRBs in setting professional standards and quality assurance
- To compile an online database of PSRBs engaging with HEIs to become a working resource for those interested in understanding this area of the sector's provision
- To provide information to support the *Survey of University Statutory and External Returns*

## Structure

This report has five sections. The first identifies and defines PSRBs as a diverse and heterogeneous group of organisations and examines the longstanding challenges in defining PSRBs and how they work with HE. The second focuses on the many permutations of status and role within PSRBs and explains their main relationships within HE. Section Three introduces one of the main outcomes of this project, an online database of approximately 130 professional and regulatory bodies who engage most frequently with institutions. The report then reviews the estimated impact of engagement with PSRBs, and initiatives that have considered PSRBs within the larger framework of HE regulation. The final section considers current initiatives to streamline regulatory processes and improve public information about PSRB activity in HE.

# SECTION ONE: Identifying and defining Professional, Statutory and Regulatory Bodies (PSRBs)

It has been widely acknowledged that it is challenging to present a broad-brush map of PSRBs, due to their many permutations of status and role. As a whole, PSRBs are a highly variable group of bodies undertaking a wide range of roles within HE. Some professional bodies are regulators established by statute, for example, the General Medical Council (GMC) and General Dental Council. In many professions, there are regulatory bodies and professional bodies functioning independently of each other and balancing both public and professional interests. Furthermore, not all regulators are statutory and some professional bodies both regulate and represent. There have been changes in recent years, separating the statutory regulatory and representative roles in the areas of law, health and architecture.

## What are PSRBs?

PSRB is an umbrella term for a very diverse group of bodies, including a large number of professional bodies, regulators and those with statutory authority over a profession or group of professionals. PSRBs engage with HEIs and other providers of higher education at regulatory, representative and promotional levels. Some bodies have a prescribed statutory or regulatory responsibility to accredit higher educational programmes and determine standards. Professional bodies interact with HEIs in a number of ways, from low-level involvement such as offering student membership, to a very high level of involvement if the body is a statutory regulator with a responsibility for setting standards and participating in quality assurance. There is a wide cross-section of PSRBs providing membership services, holding registers of professionals, licensing accreditation, and undertaking accreditation, validation and recognition of programmes.

Some professional bodies are incorporated by Royal Charter, and are, therefore, regulated under the auspices of the Privy Council. These bodies normally work in the public interest and demonstrate eminence, stability and permanence in their particular field. Charter and statutory bodies act in the public interest, but may not be exclusively regulatory in function. A recent check of the Privy Council Office (PCO) website confirmed the existence of over 900 chartered bodies.<sup>3</sup>

The UK Inter-professional Group (UKIPG) has taken a lead role in defining PSRBs, and addressing the issue of multiple definitions and non-uniform use of terminology resulting from a widespread misunderstanding of the combinations of status, role and authority across PSRBs. It was founded in 1977 as a forum for professional and regulatory bodies in the UK. UKIPG currently has 31 members from a wide range of professions, including statutory bodies, those incorporated by Royal Charter and representative associations. The Group defines a profession as 'an occupation in which an individual uses an intellectual skill based on an established body of knowledge and practice to provide a specialised service in a defined area, exercising independent judgement in accordance with a code of ethics and in the public interest' (UKIPG, nd: 1).<sup>4</sup>

## Professional bodies and regulatory bodies

A general distinction may be drawn between professional bodies and regulatory bodies, although there may be some overlap between the two. Professional bodies often act in the interest of an individual profession to promote and support professionals by being a membership organisation. They are usually independent of government and control entry to a specific profession, ensuring that members meet the body's standards. A professional body may provide services to members without regulating them, such as providing continuing professional development (CPD), ensuring that courses broadly cover a core curriculum rather than formally accrediting courses and/or holding lists of providers. Many professional bodies are involved in professional certification and sometimes membership is synonymous with certification.

A regulatory body acts in the public interest, regulating professional activity or individual professionals. Many statutory bodies or regulators have powers mandated by Parliament and protect the public interest by guaranteeing that the professional title is a sufficient measure of technical and ethical competence, agreeing minimum standards, and often minimum requirements for CPD, and holding a single register of practitioners who meet standards of training and practice. Membership may be mandatory, for example, if there is a licence to practise requirement. Their authority might restrict the use of protected titles to registrants and individuals may be removed from the register if fitness to practice is found to be impaired. Many regulatory bodies develop and promote a core curriculum for the profession and accredit courses as a means of regulating qualifications and training. For professions regulated by statute, only graduates of accredited courses are able to practise. Regulatory bodies act on public complaints and publish records of disciplinary procedures. Some regulatory bodies only regulate a title. For example, by statute, individuals using the title of Architect must be registered with the Architects Registration Board (ARB), but the ARB does not regulate the activity of designing and erecting a building.

Professional bodies may also function as trade unions or associations. For example, the British Medical Association is a professional association and trade union for doctors in the UK. Others are learned societies whose purpose is to promote an academic field or group of disciplines. As a group, learned societies have a wide range of membership requirements and may or may not require members to hold certain qualifications. Their extensive promotional activities include organising events and publishing journals. The Institute of Physics, the Linnean Society of London and the Royal Astronomical Society are all examples of learned societies.

## Authority, status and roles

Not all regulators are statutory and some PSRBs regulate individual professionals. A few examples illustrate the diverse nature of PSRBs and their engagement with HE. The GMC is an independent, statutory regulator for doctors in the UK which ensures proper standards in the practice of medicine (in part) by controlling entry to the medical register and setting standards for medical schools and postgraduate education and training. The Royal Institution of Chartered Surveyors (RICS) is a global professional body for qualifications and standards in land, property and construction; it has exclusive power via Royal Charter to confer chartered status on members in the sector.

A number of professions have multiple PSRBs with different roles and responsibilities. For example, the British Psychological Society is the representative body for psychology and psychologists in the UK. The Health Professions Council (HPC) is the statutory regulator of 15 health professions, including practitioner psychologist. It regulates seven areas of practice and the corresponding protected professional titles, and was set up by order of the Health Professions Order (2001). The HPC is an independent UK-wide body that regulates and keeps mandatory registers for health professionals including arts therapists, clinical scientists and radiographers.

The HPC is one of 13 health and social care regulators in the UK that regulate individual professionals. Other regulators include the General Optical Council and the Pharmaceutical Society of Northern Ireland. The Council for Healthcare Regulatory Excellence (CHRE) oversees nine of these bodies, including the two listed above, that set standards for training and conduct. The CHRE conducts annual reviews of these regulators, scrutinises their fitness to practise procedures, handles complaints, and may undertake special reviews. In architecture, the title of 'Architect' is protected by an Act of Parliament and the ARB is the independent statutory regulator of all UK registered architects, setting exams and accrediting courses. The Royal Institute of British Architects (RIBA) is a professional membership body that also validates courses as approved qualifications for membership.

## Mapping PSRBs and higher education

Over 15 years ago, the Quality in Higher Education (QHE) project reviewed the extremely varied field of professional and regulatory bodies (PRBs) and surveyed 110 organisations relevant to HE. Of the 74 respondents who identified themselves as professional bodies, only 10 had both statutory powers and offered chartered status; 21 offered chartered status but did not hold regulatory powers; three had regulatory powers but did not offer chartered status; and 40 possessed neither regulatory powers nor chartered status. The review identified that PRBs define knowledge and competence, assure standards and quality provision, and provide CPD.<sup>5</sup> It was also noted that there was a growing tendency for professional bodies to trust HEIs to provide initial education, and to delegate responsibility in this area to them. The authors found that most professional bodies placed maintenance of standards at the heart of their work,

often as part of their statutory responsibility to ensure minimum standards to enter a profession. The burden of quality monitoring was identified as a significant issue for HE staff and the report recommended that professional bodies shift away from direct control of standards, and move towards indirect monitoring instead. Fifteen years later, there is clear evidence of PSRBs moving towards indirect monitoring and a number of initiatives to better align quality assurance and data collection in HE; these will be discussed in Sections Four and Five.

The QHE survey revealed aberrations in the way PRBs define themselves, reflecting the lack of a common vocabulary across the range of professional bodies and regulators and agreement on what characteristics constitute a PRB. A number of the bodies who defined themselves as a professional body responded that they are not recognised by charter or statute, and do not require members to pass professional examinations or complete a period of assessed professional practice; only 15 per cent of the 74 respondents said that they fulfil these criteria. Therefore, the authors focused on the key roles, versus defining characteristics, of professional bodies, primarily in relation to the setting and monitoring of standards.

A 2008 report for the former Department for Innovation, Universities and Skills (DIUS) mapped the tripartite relationship between professional bodies, Sector Skills Councils (SSCs) and the HE sector, presenting a broad-brush mapping of the roles and responsibilities of the three elements.<sup>6</sup> In the 13 years between the QHE project and the mapping study, the Leitch Review of Skills (2004-2006), Lambert Review of Business-University Collaboration (2003), Langlands Gateway to Professions Report (2005) and the HERRG Annual Report (2007) all helped to shape the landscape of PSRBs and HEIs. For example, Leitch recommended that professional bodies collaborate with SSCs and HEIs to influence provision. Citing the continuing difficulty in defining PSRBs, the 2008 report notes that professional bodies 'are, by definition, highly variable in form and structure and this necessarily limits the utility of a broad-brush analysis of their engagement with partners'. It argues that 'it is not possible to make any broad-based assessment as to the character of [their] relationship with HE except to note its diversity' (Oakleigh Consulting, 2008: 5; 9).<sup>7</sup>

The mapping study also noted the skills-based approach of SSCs, the discipline-based approach of professional bodies and both the discipline-based and strategic approaches by HEIs. It did not attempt to map the overall number of PSRBs, but rather conducted a survey of select PSRBs, HEIs and SSCs. Of 25 professional bodies responding, 14 said they had extensive formal links with HEIs, and nine said they had some formal links. Of the 32 responses from HEIs, 22 reported extensive links with professional bodies and 10 noted some links.<sup>8</sup>

## Umbrella groups

Umbrella groups provide a mechanism for individual PSRBs in a related subject area or professional field to collaborate and coordinate their activities and resources, and some license member institutions to award professional titles. For example, the Society for the Environment is an independent organisation and the umbrella body that licenses member institutions to award Chartered Environmentalist (CEnv) status to sustainability and environmental professionals. The Society regulates the CEnv qualification through its 24 member bodies, across which there are approximately 6,000 chartered professionals. Other umbrella groups include the Science Council, which licenses 30 professional institutions to award Chartered Scientist (CSci) status to individual scientists, and the Consultative Committee of Accountancy Bodies, which is the umbrella group for the six chartered professional bodies across the UK. Involvement or incorporation with an umbrella organisation is not necessarily exclusive. For example, at least nine licensed member bodies of the Society for the Environment are also institutions licensed by the Engineering Council to confer professional engineering qualifications.

As the UK regulator of the engineering profession and the degree-awarding body for Chartered Engineers, the Engineering Council is the umbrella organisation for 36 licensed professional engineering institutions (PEIs) who award the professional titles of Chartered Engineer (CEng), Incorporated Engineer (IEng), Engineering Technician (EngTech), and Information and Communication Technology Technician (ICTech). PEIs hold registers of professional engineers and technicians and accredit academic programmes and professional development schemes. It is desirable, but not mandatory to be on an Engineering Council register. Twenty-one of the 36 institutions have the ability to accredit programmes.

The Engineering Council works closely with the Royal Academy of Engineering, the UK's national academy for engineering; for example, the two organisations co-authored a statement of ethical principles for professional engineers and submitted joint evidence to the 2009 government inquiry into engineering. The coordination and collaboration between engineering bodies is important to note as it underlines the benefits

of different PSRBs with different combinations of status and role within a professional (subject) area working together to effectively support and sustain the profession or professionals. Unlike the Engineering Council, the Royal Academy of Engineering does not offer membership, license institutions or award chartered status to individuals; through its annual fellowship programme, up to 60 distinguished engineers are elected Fellows of the Royal Academy of Engineering and thereby distinguished by the letters FREng.

## National, international and global PSRBs

The membership and remit of professional bodies may be national, international, and global or cut across these categories. For example, a single undergraduate accountancy course at a university in Scotland may be recognised by six discrete professional bodies operating under different authorities, with varying geographical remits and cutting across four professional areas: accountancy, auditing, insurance and financial services. Some professional bodies have equivalent organisations in other parts of the UK, for example, the Law Societies of England and Wales, Northern Ireland, and Scotland, and the Royal Pharmaceutical Society of Great Britain and the Pharmaceutical Society of Northern Ireland.

A number of professional bodies, including the Engineering Council, promote UK qualifications internationally. Many PSRBs are involved in accrediting programmes outside of the UK. There may be different names of professions or titles in different countries, and different types of professional registration. Some statutory regulators are not able by the terms of their primary legislation to accredit courses in different countries, but may be able to recognise individual professionals. PSRBs in the UK may use international reviewers to accredit UK programmes, and some, including the Engineering Council, do this as part of their standards and quality assurance processes. Some PSRBs are required to comply with the relevant European legislation affecting regulation. The principal European legislation is Directive 2005/36/EC on the recognition of professional qualifications. This sets out the obligations for recognising the qualifications held by some professionals from within the European Economic Area.

## The role of inter-professional groups and associations of professional bodies

While there is not a single umbrella body for all professional bodies in the UK and/or on a global scale, the memberships of the UKIPG and the Professional Associations Research Network (PARN) are drawn from across professions and sectors. The UKIPG website defines its areas of interest as professional regulation; professional education and training; CPD; corporate governance; European and international affairs; and professional ethics and values. UKIPG has organised working parties on professional regulation, FE and HE, and corporate governance. Key UKIPG publications include the *Guide to the Revalidation of Professional Competence* (n.d.); *Professional Regulation: a Position Statement* (revised 2002); and *The Educational Role of Professional Regulatory Bodies* (2000).

PARN is a membership organisation for professional bodies, providing member services and research and consultancy.<sup>9</sup> It also has an established programme of academic research publications in areas including professionalism, professional standards, regulation and CPD. PARN currently has approximately 130 members in the UK and abroad, representing both established and emerging professions. PARN member bodies generally fulfil three criteria for membership: entry requirements (which often include an element of higher education); an ethical code that is supported by procedures; and a commitment to CPD. These requirements correspond to the PARN model of three pillars of professional standards: entry standards; complaints and discipline; CPD and positive supports for ethical behaviour.<sup>10</sup>

# SECTION TWO: PSRB engagement with higher education

## The roles of PSRBs in HE

For the purposes of this report, engagement is defined broadly as activities including, but not limited to, accreditation (programme approval and validation), exemption, controlling licence to practise, conferring chartered status and/or professional titles, membership services and participation in initial and continuous professional development (IPD and CPD). Some PSRBs conduct sector-specific research, provide advice and information services, and serve as a resource on employment trends that may be unique to a profession. By means of collaborative provision arrangements, PSRBs are involved in making awards, programmes, or aspects of provision more widely available. Some professional bodies run independent fellowship programmes or award schemes, training networks and professional training courses, and publish professional journals or magazines.

## Accreditation: approval, monitoring and review

One of the main roles of PSRBs is the monitoring and review of academic provision through accreditation, the approval or recognition of courses. There are many types of accreditation by PSRBs across the HE sector, and accreditation processes vary widely. Accreditation may be essential, a legal requirement, or it may simply be considered a worthwhile exercise. Accreditation may allow graduates to practise as professionals in their field, grant exemption from all or part of professional exams, or provide entry to membership of a professional association or learned society. However, accreditation or recognition does not always provide professional status, membership or exemption. Accreditation allows HEIs to benchmark their programmes against their peers and standards agreed by the professions. It may ensure that programme content is linked to the requirements of employers. The accreditation process may involve a series of formal, on-site visits to an institution or department, or it may operate more informally, by self-evaluation, submission of documentation, correspondence, or a combination of the above. Internal monitoring and review events may be combined with PSRB accreditation events in order to streamline internal processes for HEIs and reduce the burden on staff. Representatives of PSRBs may act as external advisers to HEIs, confirming the comparability of standards across the HE sector. PSRB requirements are often key components of programme design and may be necessary for approval or accreditation. Information about accreditation or other links to PSRBs may be included in published programme specifications.

## Licence to practise, chartered status and professional titles

In some cases, membership of a professional body is a legal requirement and a PSRB has the authority to confer a licence to practise in the particular area or profession that it regulates. Some professions are licensed and others not. For example, doctors, nurses and solicitors must be licensed to practise. If an individual is suspended or expelled by the professional body they are unable to practise. Some PSRBs are responsible for granting chartered status to individuals. Chartered status is different from licence to practise; it may be possible to operate as a professional in the field without acquiring this status. There may be a number of professional bodies for a single profession, only one of which can confer a title. This is the case, for example, in the accounting profession. While chartered status may not be a legal requirement, lack (or loss) of a chartered title may effectively be viewed as a disadvantage in the employment market.

## Membership

PSRBs offer membership in a number of categories, including professionals, affiliates and students. Many professional bodies do not have the legal authority to confer professional titles and many professions do not operate by means of special title. A high number of PSRBs offer memberships to students registered

on courses in their professional area of study. Membership is often voluntary. A high proportion of academic staff in a subject area or department may be members or otherwise active participants in the relevant PSRB(s).

## Prescription and exemption

Prescription is the process by which the PSRB agrees that a particular qualification or award of an institution meets the criteria of an award, or set of awards, that allow the holder to be registered as a practitioner (regulated by statute). Exemption describes the process by which a PSRB reaches a judgement that successful completion of a programme of study enables exemption from professional body requirements including examinations. A PSRB may grant full or partial exemption from professional examinations and/or qualifications.

## Initial professional development and continuous professional development

This is an important area of involvement for many professional bodies. Successful completion of a period and programme of IPD may indicate that a person has satisfied the requirements for professional status or to be awarded chartered status. PARN has published extensively on the topic of CPD, including the development, expansion and current state of the CPD market and the roles for HEIs in provision, accreditation and approval. *Linking Professional Associations with Higher Education Institutions in Relation to the Provision of CPD* (PARN, 2008) includes case studies of 10 (named and anonymous) professional bodies engaging with CPD. These studies show that CPD may or may not be compulsory, a requirement of membership of a professional body, and its content may be largely determined by an individual member or participant. CPD is not always qualification based, and may incorporate personal and professional development, and generic and technical training. It is often centred on outputs rather than inputs. Examples of CPD formats range from formal schemes to informal activities: non-credit bearing short courses to vocational qualifications, modules taught at HEIs, part-time master's programmes, work-based learning and mentor schemes. Some PSRBs, for example, the RIBA require points/hours-based CPD.

## The roles of PSRBs in relation to quality and standards

PSRBs have many roles in HE related to the design, approval, monitoring and review of courses and are involved with two key elements of the national system of quality and standards in the UK: internal and external review. HEIs are individually responsible for maintaining the quality of the education they provide and the standards of their qualifications by annual review, periodic review and the external examiner system. PSRBs provide an important external view of the quality of programmes in a particular subject area, and they often have a statutory responsibility to set minimum professional standards of competence for entry to a profession. In addition, the QAA makes a judgement on the management of the quality and standards of all provision, including that which comes under the auspices of a PSRB. PSRB and QAA quality assurance processes should, so far as possible, complement one another and avoid duplication.<sup>11</sup>

PSRBs are primarily concerned with outcome standards and ensure that graduates are fit for professions by accrediting, approving or recognising specific programmes in the context of the requirement for professional qualification. This is the foundation for their leading role in defining professional competence. PSRBs are generally concerned with outputs and professional competence rather than the inputs defined by HEIs (unless the inputs directly affect the outputs), focusing on curriculum content, standards and testing fitness for practice. The role of PSRBs is to define professional knowledge and competence. Institutions are independent autonomous bodies responsible for their own quality management systems and for the standards of awards made in their name. PSRBs are also involved in the area of subject benchmark statements. These statements, published by QAA, provide a benchmark for institutions to design, deliver and review their programmes. If a programme is externally recognised or accredited by a PSRB, HEIs may be required to take account of these requirements, including professional competences. Individual subject benchmark statements might make explicit reference to PSRB requirements, and/or may provide additional information outside of PSRB requirements.

## Benefits for students, institutions, professions and the public

The engagement of PSRBs with HEIs provides many benefits for students, institutions, the professions and the public, and it is an essential element to HE. For students, PSRBs provide access to professions through membership, industry contacts, links to employers and access to both IPD and CPD. Completion of accredited or recognised programmes may provide a fast-track route to qualified or chartered status or a professional title. HEIs often make a voluntary commitment to PSRBs and accreditation is public confirmation that they are maintaining required standards and comparability with programmes across the sector. For HEIs, PSRBs provide vital external points of reference and help to support their graduate employability aims and maintain or strengthen their reputation. Acting in the public interest, PSRBs license providers, assure statutory standards and regulate entry to professions. PSRBs may set standards nationally or internationally, promoting consistency of standards and codes of practice and conduct.

## Engagement with PSRBs is strategic and mutually beneficial

CPD may be part of a more strategic engagement between a professional body and an institution; for example, a body might operate in partnership with a university to operate a research centre in its area of professional expertise. A 2008 report by PARN on linking professional associations to the provision of CPD notes the many ways partnerships operate.<sup>12</sup> For example, the Chartered Institute of Library and Information Professionals has an extensive partnership with the Open University, and The Energy Institute's strategic relationships with HEIs often grow out of existing accreditation processes; in this way CPD forms part of a larger collaboration rather than a one-off event. Professional bodies may agree terms with an institution by which they use the HEI's services or facilities in exchange for contributing to career events for students. The RIBA CPD programme includes a Providers Network composed of both commercial providers and HEIs. Engaging with HEIs is often considered by professional bodies to represent good value for money and provide an opportunity to benefit members significantly.

# SECTION THREE: HEBRG database of PSRBs

This resource is intended to serve as a starting point to better understand the status and role of PSRBs, the nature of their work with HE and its impact. The disparity between figures quantifying the number of PSRBs engaging with HEIs and the absence of a recent comprehensive mapping study (as discussed in Section One) have been identified as primary drivers for the development of a new resource. At the second HEBRG members meeting in June 2010, members strongly supported the proposal to review earlier studies and surveys, and publish a database of PSRBs engaging with HE on the HEBRG website. This background report and database will foreground and support HEBRG's ongoing and forthcoming work with QHEG, QAA, HESA, other sector representative and funding bodies, and PSRBs to bring together current projects on measuring the burden of accountability and improving engagement. The database will support higher-level, strategic engagement between HEBRG, inter-professional groups and the HE sector.

The database of PSRBs engaging with HE in the UK may be accessed online: [[http://www.hebetterregulation.ac.uk/OurWork/Pages/Professional,StatutoryandregulatoryBodies\(PSRBs\).aspx](http://www.hebetterregulation.ac.uk/OurWork/Pages/Professional,StatutoryandregulatoryBodies(PSRBs).aspx)]. This resource was built as a Microsoft SharePoint List, exported into Excel and published on the HEBRG website in January 2011. Visitors to the website may search by keyword or limit their search by information field(s). The database currently contains entries for approximately 130 PSRBs engaging with HE. As the number of professional bodies offering open membership to students, graduates and professionals may well reach into the hundreds, this resource is intended to target professional bodies and regulators who engage with HEIs beyond membership. Many of the PSRBs on the database do provide membership services, but that is not their primary link to or engagement with students and institutions.

## Methodology

The database was compiled following desk-based research that identified a number of lists and tables of PSRBs in the public domain that have been produced since the Quality in Higher Education project (1995). The sources consulted include:

- Lists of frequently cited professional bodies from studies including the reports and reviews commissioned by HEFCE and the Quality Assurance Framework Review Group (QAFRG)
- Databases of professional, statutory and regulatory bodies in England and Northern Ireland provided by the QAA
- PSRB-related searches of QAA audit reports corresponding to reports from the 35 institutional audits conducted in 2006-07 and 2007-08, and the 40 audits conducted in 2008-09. This included all references to PSRBs appearing in the Technical Annexes based on a search for the terms PSRB(s), professional body(ies) and regulatory body(ies).
- The QAA summary overview of HEI annual reports to the Scottish Funding Council on the outcomes of internal and external quality reviews conducted in 2008-09
- List of PSRBs operating in the HE sector (annual report of HERRG, 2006-07)
- Lists, tables and registers of PSRBs held by individual HEIs and available online
- Informal lists of professional and supporting bodies published on the former DIUS website

The QHE report includes appendices and six tables of professional and regulatory bodies. These illustrate the difficulty in assembling or constructing a single database or table of PSRBs. The categories or sub-categories often contradict each other or obscure the differences between professional bodies, regulatory bodies, statutory regulators, and combinations of the above. The QHE tables define six areas individually: involvement in HE, defining characteristics, registers held, accreditation procedures, course validation procedures and curriculum input.

The HEBRG database includes the following data field information headings:

- Organisation [name of PSRB and acronym/abbreviation]
- Hyperlink to the organisation's website
- Subject area, as defined by the Joint Academic Coding System (JACS)
- Geographical remit
- Umbrella organisation [where applicable]
- Royal Charter [Yes or No]
- Statutory authority [Yes or No]
- Activities [self-reported by PSRBs' public websites]
- Comments

The database includes the subject area(s) that an individual PSRB engages in, and is intended to be informational and help to build a better understanding of the range of engagements. The JACS codes used by HESA provide a uniform baseline for categorising subject areas. Information for this data field was sourced from both PSRB websites (lists of accredited programmes, approved courses and departments) as well as pulled together from the registers made public by HEIs, which often include titles of programmes that are approved, recognised, or otherwise engaged with PSRBs. These were cross-referenced with JACS codes.

Geographical remit refers to the extent to which a professional body or regulator's activities, membership, accreditation and other involvement with HE, operate on a single national, UK-wide, international or global level. The umbrella group column contains information on whether the organisation either functions as or is part of an umbrella group (as defined in Section One). Royal Charter status was checked against the list published by the PCO.

The activities field is populated by self-reported activities involving HE and HEIs in the public domain as evidenced by the organisation's website. As noted in Section One there are overlaps between the professional, statutory and regulatory categories and it may not be possible to categorise a professional body exclusively by one of these terms. Some HEIs describe all engagement as 'accreditation'; this makes it difficult to differentiate between formal and informal activities and those that are mandatory or voluntary. As individual professional bodies, regulators and HEIs often define or conceive of accreditation or approval in different terms, it was determined that self-reported activities would be the most accurate way to reflect the nature of a PSRB's engagement with HE. This reflects the need for clear and effective communication and public information that runs throughout this report. The Activities field also includes information on professional titles or chartered status that may be granted by a professional body.

The comments column includes whether a PSRB has been set up by or authorised by relevant primary legislation. For example, the entry for the Office for Standards in Education, Children's Services and Skills (Ofsted) notes the Education (Schools) Act 1992 and the Education and Inspections Act 2006. This field is also used to note changes in name or geographical remit and other issues of clarity.

## The database as a working resource: comments and feedback

The HEBRG database is publicly available and contains information from the public domain. It will be maintained and updated on a regular basis. All of the PSRBs included in the database are encouraged to contact HEBRG about the information contained in their individual entries, particularly in relation to subject area coverage and self-reported activities, and/or the wider issues introduced in this report. We will endeavour to update individual entries in response to feedback and all requests to add a professional body or regulator to the list will be addressed. This list is not intended to be an exhaustive list of professional bodies and discussion on which organisations should (or should not) be included on the list is invited, and may help to build a more comprehensive picture of the role and status of PSRBs in relation to HE. A second phase of research will be undertaken in 2011, concurrent with the forthcoming activity development of a revised Higher Education Concordat in the form of a statement of Principles of Better Regulation for Higher Education in the UK (see Section Five). PSRB representatives who wish to identify or address incomplete or missing information in their entry are invited to contact [info@hebetterregulation.ac.uk](mailto:info@hebetterregulation.ac.uk) with the subject line PSRB database.

# SECTION FOUR: Measuring engagement and the impact of regulation

## The better regulation of higher education

As autonomous bodies, HEIs work closely with a wide range of funding bodies, sector agencies and PSRBs. This means that the regulatory and accountability framework for HE is complex and there are many agents and external factors involved in multiple processes. PSRBs are just one of many agents, along with government departments, funding bodies, agencies such as QAA, HESA and the Office of the Independent Adjudicator (OIA) and the Research Councils that help to shape this framework. External factors such as the state of the economy, desired shifts towards sustainability, emphasis on increased efficiency and shared services and demands for value for money also impact and influence the state of the regulatory framework.

The work of HERRG, between 2004 and 2008, was the culmination of at least 10 years of activity focusing on the regulatory burden in HE. The main initiatives prior to HERRG included an HEFCE-sponsored better accountability forum which brought together a wide range of regulators and stakeholders; the Better Regulation Review Group (BRRG); and the Cabinet Office Better Regulation Task Force (BRTF). The work of these groups highlighted the low risk nature of HE, the absence of any major non-compliance or management failures and the complex nature of regulation.

The five principles of good regulation published by the BRTF (1998; 2000) state that regulation should be transparent, accountable, proportionate, consistent and targeted. The UK has long championed better regulation across the private and public sectors, and its system of professional regulation has influenced regulatory frameworks throughout the world. Individual professions have independence in setting professional standards while the government retains the right to protect the public interest through legislation. The 2010 Organisation for Economic Co-operation and Development (OECD) *Review of Better Regulation in Europe* praises the UK's better regulation policies as unique among the European Union, placing the UK in a good position to address complex future challenges.<sup>13</sup>

## Range of provision across higher education

It is very difficult to pinpoint the total number of PSRBs engaging with HE. At their broadest definition, there may be over 300 professional bodies in the UK, many of which offer membership to students, graduates and academics. However, most of these do not inspect or accredit universities for quality assurance purposes, reviewing quality and standards. A number of PSRBs engaging with HEIs have statutory authority to regulate programmes in medicine, allied health, teacher training, accounting, law and architecture. The engagements between HEIs and PSRBs may be approached from a number of perspectives: by subject areas and professions that are heavily regulated or have a high number of professional bodies; or by the type of institution; specialist, research-intensive, or with a large number of vocational programmes.

Reflecting their institutional mission and provision of programmes in specific subject areas or professional areas, some institutions offering programmes outside of professional areas, such as the Royal College of Music, do not formally engage with any PSRBs. Others, with a number of professional courses or courses that are heavily regulated by law, engage with dozens of PSRBs. However, even if a programme or profession is not regulated by a professional body or statutory powers, members of its academic and/or professional communities may be widely represented in membership of professional bodies, learned societies and/or professional trade unions.

PSRB activity occurs at both undergraduate and postgraduate levels. HEIs with schools of business, management, health and applied sciences, engineering, law and medicine may engage more frequently than those with larger arts, humanities and/or social science faculties.

The report by JM Consulting for HEFCE, *The Costs and Benefits of External Review of Quality Assurance* (2005), identified more than 50 bodies involved in the review of quality and standards.<sup>14</sup> The same report cited two institutions that reported interaction with 62 and 30 PSRBs respectively. A report to the QAFRG included a comparison of burden ratings for the 48 'most frequently-cited PSRBs' during the period 2005-2008.<sup>15</sup> The annual report of the Chair of HERRG to the Minister of State for Lifelong Learning, Further and Higher Education (2007) includes a list of 80 bodies provided by DIUS 'that have a role in seeking to exert influence over the way in which universities are managed, the courses they provide, or the way in which they go about their teaching and/or research' (HERRG, 2007: 24)<sup>16</sup> A preliminary survey of publicly available registers from individual institutions demonstrates HEIs engaging with between 15 and 68 PSRBs – defined by institutions for their own purposes as professional bodies, accrediting bodies, PSRBs or professional body partnerships.

The 2008 mapping study for the DIUS survey asked professional bodies and HEIs about their experiences of working together and collaboration. The majority of professional bodies and HEIs considered working together to be a positive experience. Reporting on a scale of one to five, the majority of both institutions and professional bodies considered themselves to be closer to a high degree of successful collaboration (five) than no identifiable successful collaboration (one) and reported that roles that were closer to being well defined (five) than not defined (one) in relation to one another.<sup>17</sup>

## Recording engagement and coordinating it with institutional procedures

A review of university websites (November 2010) demonstrates that at least 37 of 134 institutions in the UK maintain central registers and/or internal institutional policies for engaging with PSRBs, which are publicly available online. These range from spreadsheets or tables with detailed information to more informal lists of current bodies which accredit the institution's courses, or a simple list of accredited programmes. The content and level of detail in these records and resources varies greatly. The vast majority of the registers are sub-divided by faculty, school or department and are organised by the name of the PSRB or the title of the programmes that are involved in the engagement. It should be noted that several institutions use the term 'accreditation' to represent a wide range of activities that are not limited to formal accreditation visits or events. As a general term, accreditation may be used as an umbrella term to signify any of the following: qualified status, endorsement, exam exemption, (formal) accreditation, provision of curricular material, details of membership eligibility and other partnership activities between HEIs and PSRBs. They are rarely used solely for the purpose of registering the details of accreditation in the strictest sense.

The tendency for institutions and PSRBs to group PSRB engagement collectively under a single term, which is used to signify a wide variety of activities, is not a new development. In 1995, the QHE report noted that accreditation, validation and reviews of institutions are sometimes referred to collectively as approval and that some PSRBs do not distinguish between these processes. This highlights the longstanding importance of the consistent use of terminology on both sides of the engagement between faculties, departments and professional bodies, particularly in light of the call for more transparent public information about HE.

Registers may include details and contact information for the PSRB(s) engaging with a particular programme, the named representative at the institution or faculty who manages the relationship with the PSRB(s), the nature of engagement (for example, specific accreditation procedures and/or a record of recent and forthcoming visits and review procedures), the financial costs associated with accreditation (rarely), the period of accreditation, and the current status of accreditation or other recognition or endorsement. This review of HEI websites supports the 2008 Oakleigh Consulting mapping study, which found that HEIs often manage relationships at the faculty or school level, with a central registry function overseeing accreditation.

At least 15 institutions include codes of practice or other procedural guidelines for departments and staff engaging with PSRBs. Sometimes these are prefaced or introduced by an institutional statement or principle relating to engagement with professional bodies. This might be linked to an institution's mission statement. Procedures often provide an institutional overview of PSRB engagement, definitions of the key activities and milestones of engagement, and outline or map the routes for the flow of information from PSRB to faculty or department level and then on to the central register. These procedures may be used to ensure or support that the PSRB's report, for example, is disseminated through the institution's various levels. This increases the likelihood that the institution is aware of the nature, scope and range of its engagements, including outcomes and cost, and can make informed decisions about communicating good practice or highlighting successful accreditation or other activities at a higher level. Statements may help to ensure that departments within an institution use the same terminology, and may be used to identify good practice in other departments.

## Measuring the regulatory impact of engagement with PSRBs

The PA Consulting Group conducted three reviews for HEFCE on the costs, impact and burdens of accountability in English HE (2000-2008). The third and final report, *Positive Accountability* (2009), reported that incremental compliance costs to institutions were 21 per cent lower than in 2004. Although the report did not take into account the requirements of PSRBs, which were considered to be outside of scope due to their non-public nature, it did identify the diverse and sometimes overlapping demands of PSRBs as one area of concern.<sup>18</sup>

Further evidence of the impact on institutions of engaging with PSRBs is provided by three reports, the JM Consulting review for HEFCE on the costs and benefits of external review of quality assurance (2005); the QAA's review of institutions' work with employers and PSRBs (2008); and the report to the QAFRG evaluating the impact on HEIs of the process of review associated with collaborative arrangements (2008).<sup>19</sup> The report to QAFRG noted a recent lightening of both costs and burden – light touch does not contradict a rigorous and effective system – and that both providers and regulators could benefit from improved working together. However while PSRB information requirements generally operate at subject level, and therefore do not directly overlap with QAA requirements, the need to provide the same information in different formats for different PSRBs can be burdensome.<sup>20</sup> The JM Consulting review estimated that the annual cost to English institutions of professional quality assurance including Ofsted – inspection of Initial Teacher Training, GMC and health reviews, inspection of FE, and inspection of non-health PSRBs – was in the order of £21 million, roughly the same as the cost for academic review at that time (2005).

The QAA review of institutions' work with employers and PSRBs noted that HEIs attempted to reduce their workload by combining approval and/or periodic review with accreditation by the relevant PSRB. However, in some cases it was reported that concern was expressed when the requirements of the PSRB were allowed to override or replace the academic review process itself. The report to QAFRG noted that engagement with PSRBs occurred more frequently at subject level rather than institutional level; PSRBs focused more explicitly on curriculum content and standards, especially for those professions requiring a licence to practise, rather than the institution's own quality assurance processes. HEIs reported that this type of engagement with PSRBs was very constructive, bringing significant benefits in terms of professional recognition, the quality of programmes and student recruitment. The cumulative impact of engagement with multiple bodies, where provider capture at subject level may have an adverse impact on institutional level processes, should be recognised.<sup>21</sup> These perceptions were confirmed most recently by evidence drawn from early analysis of HEIs' responses relating to PSRBs in the consultation on the future arrangements for quality assurance in England and Northern Ireland.<sup>22</sup> Institutions noted the importance of PSRBs' participation in the quality assurance process and continued to call for even greater integration between QAA and PSRB methods and processes for quality assurance.

Calculating the burden of PSRB returns across the sector on an annual basis is difficult because while a statutory accreditation might be 'compulsory,' it will of course only affect those HEIs who offer programmes in the regulated profession. Within an individual institution, submission dates vary greatly as many PSRBs do not operate on a yearly cycle, but accredit or re-accredit every three, five, or even 10 years. It is also difficult to strictly define PSRB data collection as returns; for example, some HEIs achieve re-accreditation via panel visits, correspondence (including email) and other methods. The PA Consulting review also acknowledges PSRBs in its review assessment analysis of contextual information gathered from the sector for specific obligations, citing the potential for duplication of quality assurance processes under the Quality Assurance Framework (QAF) and PSRB activities related to quality as Medium and the perception and extent of burden (in non-financial terms) is noted as Medium/High.

# SECTION FIVE: Enhancing engagement and public information

## Working to improve engagement

A significant proportion of the reduction in regulation identified by the PA Consulting report was the change instigated by the QAA to move to a revised approach to institutional audit that included the removal of the subject discipline audit trails. As the revised cycle of institutional audit comes to an end in July 2011, a consultation on the future arrangements for quality assurance for England and Northern Ireland has taken place. The QHEG was established in 2009 to take a strategic overview of the quality assurance system in England and Northern Ireland and to make proposals regarding its development in the light of the consultation responses. Its terms of reference include liaison with HEBRG to ensure that its proposals meet requirements for effective regulation. Collaborative work between HEBRG and QHEG began in the second half of 2010.<sup>23</sup>

One resource for evaluating institutions' engagement with PSRBs has been the QAA institutional audit reports. As part of its sharing good practice series, the QAA published an overview of the outcomes from institutional audit examining institutions' work with employers and professional, statutory and regulatory bodies in 2006 and 2008. The second report broadly supported what it found to be constructive engagement by the sector across a wide range of activities.<sup>24</sup> The trend for an increased development of registers and procedures for engaging with and recording involvement with PSRBs identified in Section Four reflects one of the themes emerging from the institutional audit reports, which considers institutional overview of PSRB engagements to be part of good practice. The 2008 report notes that some institutions require accreditation to be part of annual monitoring processes, and some publish information about PSRB and employer links in programme specifications, although this is not widespread. The QAA summary overview of HEI annual reports to the Scottish Funding Council on the outcomes of internal and external quality reviews (2008-09) also included information on PSRBs and concluded that PSRB review processes are operating effectively and feeding into institutional quality processes.<sup>25</sup>

The QAA outcomes report also noted that PSRB accreditation requirements might lead to changes in an institution's academic regulations or quality management procedures. The QAA has memoranda of understanding with some organisations, including PSRBs, in order to establish a framework of cooperation between the two, and ensure that administrative burdens are reduced and expertise is shared. For example, the memorandum with BCS, the Chartered Institute for IT (formerly the British Computing Society), states that QAA and BCS will cooperate and collaborate in certain areas, including enabling BCS to contribute to the development and review of the QAA Academic Infrastructure, particularly in relation to accreditation activities and the subject benchmark statement for computing; share developmental opportunities; and conduct joint research.

## *Higher Education Concordat on quality assurance arrangements and data collection*

The Higher Education Concordat (May 2006) was the key instrument employed by HERRG for the better regulation of HE. The Concordat's remit was the collection of data and the external quality assurance of HE and FE provision in HEIs in England. Sixteen original signatories committed to practical plans for working together on a less burdensome, more proportionate approach to quality assurance and data collection and published annexes detailing their activities in this area. Signatories included funding bodies and agencies, HEFCE, HESA, QAA and the Universities and Colleges Admissions Service (UCAS); statutory regulators (the ARB, HPC and Ofsted); representative bodies (British Psychological Society); government departments (the former DIUS; Department of Health); and professional bodies (RIBA and the Institution of Engineering and Technology). By the time of the HERRG final report (2008), the number of Concordat signatories had increased to 28 including confirmed signatories and noted expressions of interest.

Soon after the establishment of HEBRG in January 2010, those signatories who had signed up under HERRG were contacted and the majority re-affirmed their commitment to the Concordat. At the inaugural meeting of HEBRG members in April 2010, it was agreed that the Concordat had succeeded in performing a top-level symbolic function and served as a reference point for conversations and negotiations between regulators, which could lead to the formation of more detailed memoranda of understanding. Therefore, HEBRG should revise and update the Concordat accordingly. Following the publication of the Browne Review in October 2010,<sup>26</sup> members agreed that due to the current state of uncertainty as to the nature and shape of the new regulatory landscape for HE, revisions to the Concordat should be substantial and the timing of the new document must take into account the forthcoming HE White Paper and legislation expected in 2011.

A new statement of Principles for Better Regulation in Higher Education, building on the original framework of the Concordat, and in anticipation of major changes to the regulatory framework for the sector, was presented at the HEBRG conference in December 2010. The statement will be circulated to Concordat signatories, expressions of interest and other interested parties for consultation in spring 2011, concurrently with the White Paper. It is anticipated that organisations, including the original Concordat signatories, will endorse and sign up to the Principles, in the spirit of supporting a revised Concordat, by June 2011 and that new signatories will also be welcomed. The scope of the new Principles will be UK-wide, reflecting the remit of HEBRG and its sponsors. Key aspects will include regulation to minimise risk, safeguard students' interests and underpin market confidence. This will expand the Concordat's key principles relating to quality assurance and data collection and reflect the current state of the Government's better regulation agenda and its relationship to higher education.

## Improving public information

HEBRG collaborated with QHEG to produce a plain-English explanatory statement on the role and status of PSRBs and their engagement with higher education. The statement is intended to serve as a resource in order to clarify the role of professional bodies. In order to gain input from a cross section of PSRBs, the draft statement was circulated to the QAA and UKIPG PSRB Forum delegates and science, technology, engineering and mathematics (STEM) networks in November 2010. The draft statement incorporated feedback from a wide cross-section of PSRBs prior to going before QHEG members in December 2010.

The HE sector and the Government are currently looking to improve public information about HE in England and Northern Ireland. UUK, GuildHE and HEFCE published a joint consultation in late November 2010, seeking the sector's views on a proposal for the Key Information Set (KIS) to be published for each course in England and Northern Ireland offered by publicly-funded HE providers from September 2012. It is proposed that the KIS will include information on professional bodies that accredit the course. An HEBRG officer participated in the professional accreditation working group which was established to advise on how best to publish and present some of the more complex items in the proposed KIS.

## New information on engaging with PSRBs

The HEBRG working group on PSRBs was established in summer 2010, composed of HEBRG officers and representatives from two HEBRG member organisations, HESA and QAA. The main purpose of the group was to align HEBRG work on PSRBs with other organisations' work in this area to complement each other and avoid duplication. The primary crossover point for coordinated activity was with the survey of external and statutory returns that was circulated to AHUA members in October-November 2010. This survey aimed to establish the totality of external reporting undertaken by HEIs throughout the UK. HEBRG contributed to the survey design by providing a list of 125 PSRBs to be included in the list of returns. This initiative was informed by the work of the HESA HEI user group and early survey findings were reported by the Chief Executive of HESA at the first annual HEBRG conference in December 2010.

With 48 institutions reporting 550 lines of external reporting, the early findings show that, whatever level of central co-ordination individual responses might imply, there was great variation in the individual responses. While high profile external reporting was consistently described, there was a large amount of country-wide reporting that was inconsistently identified by institutions. Detailed data cleansing work, involving discussion with individual regulatory and other external bodies, will be undertaken before the data can be described as definitive. In order to provide a more complete sense of the submissions requested from HEIs, and to provide an overview of the current regulatory burden on the sector, HEBRG will follow up with survey data

and produce a draft checklist of returns for HEIs to use to manage data requests. The draft checklist will help to identify areas where returns could be better aligned or streamlined in the future, and where information could be sought directly from HESA.

HEBRG has discussed the future development of the PSRB Forum with the QAA and UKIPG. The Forum was founded in 2008 as a joint venture to enable representatives of professional bodies to discuss areas of mutual interest. Previous topics include international recognition and accreditation, supporting sustainability and work-based learning. HEBRG will continue to work with the Forum and take on a more strategic role in relation to the development of Forum programming in order to bring together different strands of activity related to PSRBs. The Forum to be held in late April 2011 will focus on the Principles of Better Regulation for Higher Education and PSRBs' responses to the forthcoming White Paper on Higher Education. In the current, highly evolving environment for regulation in HE, it is anticipated that future work will focus on improving public information and understanding new regulatory indicators or elements to protect students and institutions against market failure.

# CONCLUSIONS

This review of sources published between 1995 and 2010 and other programmes of work that have considered the important, complex relationship between PSRBs and HEIs, suggests that the following conclusions may be drawn about this aspect of the regulatory environment of HE:

- Significant challenges in presenting a succinct mapping of engagement persist because PSRBs are varied in terms of their status and role. It should not be assumed that they all function in the same way; and levels of engagement with HEIs vary considerably.
- Although the issue of clearly defining PSRBs and their role in HE remains complex, there have been some successful initiatives to streamline regulatory requirements and reduce the cost of these for HEIs, including the *Higher Education Concordat on Quality Assurance and Data Collection*, and Memoranda of Understanding with the QAA.
- Increasingly, HEIs are taking an institutional overview of PSRB engagement and defining institutional procedures in order to align PSRB collaborations strategically with their mission and increase internal efficiency. However, early findings from the *Survey of University Statutory and External Returns* suggest that further guidance could be given to support institutions in achieving a complete single view of their external reporting requirements.

# RECOMMENDATIONS

1. There is an ongoing need for the HE sector and PSRBs to improve the consistency of the language and terminology used to define PSRBs' status, role and key activities. This will become more important with the sector's current focus on improving public information to enable better-informed student choice.
2. Umbrella groups and inter-professional groupings of professional bodies and regulators have established channels for discussing areas of mutual interest and sharing good practice. Their expertise should be recognised and their work should be more widely disseminated.
3. HEBRG should collaborate with the QAA, HESA, sector representatives, funding bodies and PSRBs to enhance engagement with PSRBs and maintain and update the HEBRG database of PSRBs as a working resource.
4. HEBRG and HESA should undertake further analysis of the data from the university statutory and external returns survey to identify areas where greater alignment could be sought between PSRB requirements for data and the services offered by HESA.
5. HEBRG should take forward work to secure the commitment of PSRBs to the new *Principles of Better Regulation for Higher Education in the UK* with the aim of increasing regulatory efficiency, both for HEIs and the PSRBs themselves.

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