

**UKSCQA consultation on the UK Quality Code for Higher Education
A consultation response by Universities Wales**

1. About Universities Wales

- 1.1. Universities Wales represents the interests of universities in Wales and is a National Council of Universities UK. Universities Wales' Governing Council consists of the Vice-Chancellors of all the universities in Wales and the Open University in Wales.

2. Introduction

- 2.1. We offer the following comments in response to the consultation of The UK Standing Committee for Quality Assessment (UKSCQA) consultation on the review of the UK Quality Code for Higher Education, published on 11 October 2017.

3. General comments

- 3.1. Universities Wales welcome the opportunity to respond to this consultation. The UK wide quality system, based on a jointly developed UK Quality Code, has long been the foundation of international reputation and success of UK universities, and we see the Code and the role of the QAA as imperative to the continued long-term success of UK and constituent nations.
- 3.2. The revised UK code proposed by UKSCQA rightly seeks to respond and adapt to the major changes in the higher education landscape across the UK. Devolved arrangements mean for education within the UK that it is more important than ever before to work together to ensure that the Code continues to meet the requirements for individual nations while maintaining a visibly UK wide quality assurance system.
- 3.3. In summary, we question whether the new Code as currently drafted by UKSQA is successful, at this stage, in fulfilling its objectives and meeting all the requirements that will be demanded of it. We provide more detailed comment in response to the specific consultation questions below. In particular, the Code has been over-streamlined and the proposals reflect the baseline quality requirements of the new risk-based regulatory approach in England at the potential detriment of a more holistic quality assurance approach which recognises and encourages quality which extends beyond minimum thresholds and is applicable to all UK providers. Above all, we need to find a shared process for the further development of the Code which will ensure that the needs of each nation are met by a Code that continues to command international respect and is jointly owned and applied across the UK.

4. Question 1. Does this proposal provide a coherent framework for quality and standards in UK higher education?

- 4.1. No. The Quality Code represents a key external reference point for the higher education sector and must continue to set a high benchmark in terms of the quality and standards of UK higher education which will command the confidence of students and stakeholders,

both within the UK and overseas. We recognise that the quality code could be simplified. We have significant concerns, however, about whether the proposed framework takes a sufficiently holistic approach to assessing quality. We also question whether it is flexible enough as yet to meet the needs of an increasingly divergent UK sector.

4.2. In particular:

- In seeking to simplify and rationalise the current Code, it has lost some of its current strength and valuable detail. We recognise and support the intention to improve accessibility, but a better balance needs to be struck to avoid over simplification. See our detailed comments under Questions 2 to 5 below.
- In particular, the proposals reflect the baseline quality requirements of the new risk-based regulatory approach in England at the potential detriment of a more holistic quality assurance approach which recognises and encourages quality which extends beyond minimum thresholds and is applicable to all UK providers.
- Enhancement remains an essential part of the quality requirements in Wales (and Scotland). We believe that institutions across the UK, seeking to preserve an international reputation for excellence, would also benefit from the UK wide application of a Code which clearly identifies and recognises quality above the baseline requirements.
- Greater clarity is needed about responsibilities, and the use of some key terms needs to be clarified e.g. the distinction between quality and high quality, or 'core practices' and 'outcomes'. More detailed comment is made on this under Questions 3 to 5 below.
- The opt-in approach to the supplementary practices creates the potential for unnecessary quality and standards across the UK. More detailed comment is made on this under Question 5 below.
- Careful consideration needs to be given as to how the Code will operate in future in relation to other external reference points, e.g. with the Teaching Excellence Framework metrics. In our view, the assessment of performance beyond the baseline should not be left to a system of metrics which by its nature will have significant limitations. It is important that the Quality Code remains the benchmark for higher quality as well as setting out the baselines.

4.3. We note, however, that it is difficult to comment further on the overall coherence of the proposed model, as a phased approach to consultation means that the supplementary practices, advice and guidance are not yet available.

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

5.1. Not at this stage. In our view the top-level Expectations are overly streamlined/simplified and there are significant omissions at this stage. We believe there are a number of areas which would not meet student or wider stakeholder expectations and we would like to see the Code revised to further reflect the following in particular:

- Enhancement. In particular, neither the proposed expectations nor the core practices make reference to quality enhancement, despite this being one of the areas that the QAA's research identified needed to be more prominent (p.2). Students and wider stakeholders would expect institutions not only to meet minimum thresholds but to aim to exceed them and for quality system to reward and recognise this. Universities Wales believes strongly that a commitment to continuous improvement beyond the baseline should be a requirement for all UK providers and included amongst the Expectations/core practices.
- Student engagement. In particular, neither the proposed expectations nor the core practices make reference to student engagement, despite this being one of the areas that the QAA's research identified needed to be more prominent (p.2). We note that there has been extensive work on the student engagement agenda across the UK which can be drawn upon including sparqs (Scotland), Wise Wales (Wales), and the Student Engagement Partnership (England). We question whether this omission is consistent with the stated objective to "place students at the heart of the Code's focus".
- Despite being identified as priorities in the feedback from providers (p.2), there is currently no reference to the role of external examiners, or collaborative working with Professional, Statutory and Regulatory Bodies or other external partners. We believe this must be incorporated.
- The current draft also omits employability, despite it being identified as a priority (p.2), and this should be addressed throughout the Code.
- There is also further scope to emphasis equality and diversity, widening access and other shared issues, which are perceived as intrinsic to higher education quality by all participating nations.

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

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

b. Serve the needs of an increasingly diverse sector?

6.1. Not at this stage. See our general comments under Questions 1 and 2. The scope needs to be broader to meet the requirements of all nations. As it stands it is better designed to serve as a condition of registration for the OfS, rather than as a Code that works for the UK sector as a whole.

6.2. At this stage, it is difficult to make full comment without sight of the supplementary practices, advice and guidance, which are not yet available. However, we offer the following specific comments:

- Core practice 1. For 'qualification framework' read 'relevant qualification framework': different frameworks will apply across the UK.
- Core practice 2. Further clarity is needed about what is meant by 'standards beyond the threshold level that are reasonably comparable with those achieved in other UK

providers'. This does not appear to be setting the high benchmark in standards that the consultation identifies (on p.3) as a hallmark of the current Code and the sector is committed to continuing.

- Given concerns from DfE about the comparability of standards, it is not clear if this implies an additional reference point or will rely on external examiners. Additionally, the code currently incorporates the frameworks for HE qualifications, subject benchmark statements and the guidance on qualification characteristics. It is not clear what their future relationship to the code will be.

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

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

b. Serve the needs of an increasingly diverse sector?

7.1. No. In addition to our general comments under Questions 1 and 2 above, we make the following specific comments:

- Terminology. The guidance will need to fully explain a number of qualitative terms which are critical to the Code's operation including 'high-quality', 'sufficiently' and 'appropriate'. The application of the distinction between 'core practices' and the 'outcomes' they are intended to demonstrate, is unclear and potentially confusing.
- Core Practice 1. More detailed guidance and potential rephrasing of this may be needed to reflect collaborative/franchise arrangements appropriately, to ensure that there is clarity where responsibility design and delivery may be apportioned to more than one provider.
- Core Practice 4 (student views and feedback). The Code should cover student engagement far more fully and meaningfully than covered by this core practice.
- There is also potential to improve the drafting of this e.g. for 'feedback' read 'appropriate feedback'? Does the providers' feedback cover academic feedback or feedback more generally?
- Core Practice 5 (academic appeals and complaints). We assume that the approach will need to be consistent with CMA advice. The notion of quality in consumer law is in essence that the provision is fit for purpose and what has been paid for. These notions appear to be currently lacking and could usefully be included in the Code. This approach, for instance, would reinforce the importance of student outcomes.
- Core Practice 6 (research programmes). We assume that this would not be applicable to all providers, as some will not provide research programmes.
- Core Practice 7. It is unclear exactly what is intended here. The exact responsibilities for quality between collaborating partners is a matter that for contractual arrangements to determine, not the Code.
- Core Practice 8. It would be important to ensure that the Code covers not just admissions but the full student journey through higher education.

8. Question 5. Does the proposal to develop supplementary practices outlined above:
a. Serve the needs of all nations in the UK?
b. Serve the needs of a diversifying sector?

8.1. No. We have a number of concerns with the proposed approach. In particular, the opt-in approach to the supplementary practices creates the potential for unhelpful variation in quality and standards across the UK. Specifically,

- The areas identified as potentially to be covered by supplementary practices such as employability and student engagement should be core requirements for all providers and an integral part of the Expectations/Core practices of the Code.
- We would expect the regulatory requirements in relation to the Quality Code to be comparable across the UK. Any significant differences, as highlighted in our response to the DfE consultation on the regulatory reforms, are likely to cause difficulty in cross-border operation and reciprocal arrangements between nations, including course designation for purposes of funding. This proposal appears to be contrary to UKSCQA's stated vision (p.3) of a unifying Code for higher education across the UK.

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

9.1. Further development of the Code should include research and testing of the Code with students and stakeholders, both within the UK and internationally, to ensure that these issues and any other potential gaps have been addressed.

9.2. Above all, however, the further development process will need to ensure that the final version of the Code suits the requirements of all nations. We note that the Code proposes changes to base-line requirements which were agreed on a UK wide-basis.

9.3. As we will be highlighting in our response to the related DfE/OfS consultations on the regulatory framework in England, a successful UK wide system can only be achieved, through shared ownership, and not through unilateral attempts by individual nations to impose policy decisions. Participating nations need to find a successful process of working together on the Code's development that is likely to facilitate shared ownership of the system, and will continue to underpin one of the most successful quality assurance systems in global higher education.

Universities Wales
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