

BIS | Department for Business
Innovation & Skills

**COMPANION GUIDE
FOR FOUNDATION
DEGREE-AWARDING POWERS**



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

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Introduction

The application process for Foundation Degree-awarding powers begins and ends with the Privy Council, reflecting its responsibilities (under the Further and Higher Education Act, 1992, and amended under *Section 19 of the Further Education and Training Act 2007* and *Section 259 of the Apprenticeships, Skills, Children and Learning Act*) to make orders specifying institutions in England and Wales within the further education sector as competent to grant Foundation Degrees. The Privy Council is advised by the appropriate Minister of the Crown who, in turn, seeks confidential advice from the Quality Assurance Agency for Higher Education (QAA). In the case of England it is the Secretary of State for Business Innovation and Skills who will provide substantive advice to the Privy Council. In the case of Wales, it is the Secretary of State for Wales, based on recommendations from the Welsh Ministers, who will provide substantive advice to the Privy Council.

This companion guide outlines the procedural arrangements for the consideration of Foundation Degree-awarding powers applications and should be read in conjunction with the Government Guidance and Criteria for applicant institutions in England and Wales '*Applications for the grant of Foundation degree-awarding powers*' (1 October 2010) (the *Guidance*).

There is separate [guidance for taught and research degree-awarding powers and for university title applications](#).

Further information can also be found in the [degree-awarding powers and university title section of the QAA website](#).

Pre application

- 1 Further Education Institutions (FEIs) interested in applying for Foundation Degree-awarding powers are strongly advised to approach QAA for informal discussions at an early stage, and before they make a formal application, in the interests of ensuring that they have a clear understanding of the criteria, documentation requirements and the scrutiny process. Such discussions should help them to make an informed decision about the likely timing of any future application, should they decide to proceed.
- 2 FEIs are strongly advised not to apply for Foundation Degree-awarding powers until they have been through the Summative review stage of the Integrated Quality and Enhancement Review (IQER) in England, or the equivalent quality process for institutions in Wales, with QAA. However, if an FEI in England or Wales does wish to seek Foundation Degree-awarding powers without having completed the appropriate quality assessment, they should first consult QAA.
- 3 Before submitting an application, FEIs should consider carefully the internal resource implications arising from the preparation and subsequent consideration of the application.
- 4 Though not a requirement, applicant FEIs may see merit in establishing an external advisory group to offer advice and guidance on organisational development, both as part of the application process, and subsequent to it. Institutions that see benefits in establishing such a group may wish to bear in mind the important contribution that can be made by representatives from their validating institution(s) or other external bodies.
- 5 Applicant FEIs should be aware that, in the interests of obtaining a full and frank appraisal of their perceived state of readiness for the powers they seek, QAA will invite their validating partners to comment on the nature of the operational relationship that has been established.

Making an application

- 6 An application comprises a critical self-analysis (CSA) and four other main components: a progression statement; evidence of the student consultation; a letter from the governing body; and a letter(s) from the validating institution(s), all of which are described below.
- 7 QAA will also ask applicants to submit a short data profile of the institution with the application. A template will be supplied by QAA.

Critical self-analysis

- 8 The CSA prepared by the applicant FEI should describe, analyse and comment clearly and frankly on the effectiveness of the means used by the institution to satisfy itself that it meets the Foundation Degree-awarding powers guidance and criteria.
- 9 Although it is for the institution to determine for itself the structure of the CSA, it should bear in mind the need to make close reference to the criteria and supporting evidence requirements in presenting its case for the powers it is seeking. An effective CSA is likely to be approximately 60 pages in length, although there is no penalty for longer or shorter submissions.
- 10 The CSA should be accompanied by a list of evidence used by the institution to test whether its systems and processes are operating as intended, and to judge whether it is discharging effectively its responsibility for quality and standards.
- 11 The applicant may wish to supplement the CSA with selected documents (for example, prospectuses, strategic and operational plans, teaching quality handbooks and staff handbooks) to enable QAA to acquire a full understanding of the institution. Existing evidence about the applicant FEI's quality and standards, for example, the outcomes of reviews previously undertaken by QAA, the Office for Standards in Education, Children's Services and Skills (Ofsted) for institutions in England and Estyn for institutions in Wales, and by other external agencies, including professional, statutory and regulatory bodies should also be provided.
- 12 The information referred to in the *Review of the Quality Assurance Framework, Phase two outcomes, Annex F* (HEFCE 06/45), or in any successor to this document, will form an important part of the evidence base for the scrutiny of an FEI in England.

Progression statement

- 13 The application will need to include a separate statement on progression, demonstrating that the FEI has agreed and is promoting clear progression routes for learners wishing to proceed to a course of higher-level study on completion of the Foundation Degree. In particular, the institution will be expected to put forward proposals to demonstrate what it intends to do to secure that any student to whom it awards a Foundation Degree has the opportunity to progress onto at least one course of more advanced study.
- 14 The applicant FEI should list all the progression arrangements in place for each individual Foundation Degree course it offers at the time of application. Membership of a Lifelong Learning Network in England does not in itself demonstrate that the FEI has agreed progression routes in place for all its Foundation Degree programmes.
- 15 QAA will need to be satisfied that the institution's academic management is sufficiently robust to ensure that progression routes are, and will be established and promoted, both now and in the future. Progression routes or articulation agreements will need to take account of the guidance on progression set out in paragraphs 28-34 of QAA's [Foundation Degree qualification benchmark statement](#). When an FEI is assessed for the award of Foundation Degree-awarding powers, QAA will take a view as to the

likely future performance of the institution's academic management and, in particular, whether the institution can be relied on to renew progression arrangements or seek new ones if the old ones should lapse. The six-year 'probationary' period that the Privy Council will be advised to impose in the first instance on an institution successful in acquiring Foundation Degree awarding powers will be important to test the institution's development and maintenance of progression arrangements.

Student consultation

- 16 FEIs should also submit, at the same time as their CSA, evidence to the Privy Council Office that they have consulted their students about whether they should seek to award Foundation Degrees, how that consultation was carried out and the outcome of the consultation. The Privy Council Office will pass on the results of the consultation to the relevant Government Department who will, in turn, inform QAA when seeking its advice. Although an FEI will be expected to have carried out a consultation before the application is considered, it is not necessary for the results to indicate support for the proposals.

Letter from governing body

- 17 The CSA should be prefaced by a formal letter of application from the Chair of the FEI's governing body.

Letter from validating institution(s)

- 18 The CSA should be accompanied by a letter from the FEI's validating partner(s) commenting on the nature of the operational relationship which has been established and offering comment on the applicant's capacity to discharge the responsibilities associated with the grant of Foundation Degree-awarding powers. Validating institutions will not have a power of veto over an application and negative comments will not necessarily invalidate an application, but will be considered by QAA as an element of the overall evidence submitted.

Submission

- 19 One copy of the formal application, comprising the above, should be addressed to:

The Senior Clerk to the Privy Council
Privy Council Offices
2 Carlton Gardens
London SW1Y 5AA

- 20 The application should be submitted to the Privy Council at least five weeks before the Advisory Committee on Degree Awarding Powers (ACDAP) meeting at which the FEI anticipates that its application will be considered (see paragraphs 22-24). This should enable the Privy Council and relevant Government department to complete any checks required before formally inviting QAA to consider the application. FEIs based in England should also send a copy to:-

Gudrun Gilson
HE Governance
Department for Business, Innovation and Skills
Level 2, 1 Victoria Street
London SW1H 0FT
Email: gudrun.gilson@bis.gsi.gov.uk

- 21 FEIs based in Wales should also send a copy to:-

Judith Nedin
Wales Office
Gwydyr House
Whitehall
London SW1A 2ER
Email: Judith.nedin@walesoffice.gsi.gov.uk (tel 020 7270 0575)

and

Julie Matthews
Block A 3 Front
Welsh Assembly Government
Sarn Mynach
Llandudno Junction
North Wales LL31 9RZ
Email: Julie.matthews@wales.gsi.gov.uk (tel 0300 062 5576 or 07866 704746)

- 22 FEIs should send 30 copies of their application to QAA at the same time as they submit the application to the Privy Council and relevant Government department(s). They should be aware, however, that QAA will not consider an application in the absence of a formal request from Government. The QAA copies should be sent to:

Dr Irene Ainsworth or Nick Pack
Degree Awarding Powers and University Title
Reviews Group
Quality Assurance Agency for Higher Education
Southgate House
Southgate Street
Gloucester GL1 1UB

i.ainsworth@qaa.ac.uk (tel 01452 557019) or n.pack@qaa.ac.uk (tel 01452 557039)

Timing of applications

- 23 Once QAA has received a formal request from Government to consider an application, the applicant's CSA will be considered at the next available meeting of QAA's Advisory Committee on Degree Awarding Powers (ACDAP), which is responsible for overseeing this area of QAA's work. ACDAP normally meets quarterly in March, June, September and December each year.
- 24 QAA should receive any request for advice from Government, together with the copies of the application from the institution, at least three weeks before the meeting at which the application is to be considered (see paragraph 20). QAA will confirm receipt and anticipated date of consideration of the application by ACDAP.

The focus of the application

- 25 Applications received will be treated in confidence by QAA and will be considered by ACDAP on their individual merits with the onus firmly placed on the applicant FEI to present its case for degree-awarding powers. In this context, the CSA should be seen as a key element in demonstrating the existence of the '*well-founded, cohesive and self-critical academic community that demonstrates firm guardianship of its standards*' referred to in the *Guidance* (paragraphs 7-8).
- 26 Quantitative and qualitative evidence provided by the applicant FEI in support of its application will be considered in depth in the course of a detailed scrutiny and will be subject to peer judgements by senior members of the academic community.
- 27 The applicant will be expected to demonstrate the effectiveness of the regulatory and quality assurance arrangements it has in place, or intends to put in place to discharge its responsibilities as a Foundation Degree-awarding body, wherever and however the degrees of the institution are delivered.
- 28 QAA will scrutinise the delivery methods that an applicant FEI uses or intends to use and the processes it has in place for monitoring the quality of provision for those elements of its Foundation Degrees which are delivered outside of the FEI environment. For example, QAA will look at:
 - whether an FEI enrolls significant numbers of Foundation Degree students who are then taught in another FEI which does not have the power to award Foundation Degrees;
 - whether an FEI enrolls students who are taught in an overseas institution; and
 - whether work-based learning, distance learning, e-learning and assessment are closely monitored and quality controlled.

- 29 QAA will also be assessing the applicant's capacity to engender public confidence in meeting the expectations relating to academic standards and quality management as set out in the Academic Infrastructure¹, including the Foundation Degree qualification benchmark, which QAA has developed in conjunction with the UK higher education sector with a view to defining clear and explicit standards for UK higher education.
- 30 Detailed consideration will be given to the means by which the applicant sets and seeks to ensure the attainment of appropriate academic standards (for example through the design, development, approval, and the monitoring and review of programmes; and the assessment of students) and the mechanisms used to assure and enhance the quality of its Foundation Degree provision.

Foundation Degree-Awarding Powers Scrutiny Process

General introduction

- 31 QAA's mission is to safeguard the public interest in sound standards of higher education qualifications and to inform and encourage continuous improvement in the management of the quality of higher education. Ministers seek advice on applications from QAA. The advice QAA provides is given in confidence.
- 32 Scrutiny by QAA involves several stages, as outlined below, and is intended to enable informed judgements to be made about an applicant FEI's ability to assume the powers sought. A schematic representation of the process is provided in Annex 1. Applicant FEIs should work on the basis that QAA's scrutiny of a Foundation Degree-awarding powers application is likely to extend over a 16 to 18 month period from the time of an application being received by QAA to the final recommendation being made by the QAA Board to the Privy Council. The duration of a QAA scrutiny will ultimately be determined by the time required to gather the evidence to inform QAA's recommendation to the Privy Council via the respective Government department.

Initial consideration of applications by ACDAP

- 33 As a sub-committee of the QAA Board, ACDAP oversees the Foundation Degree-awarding powers criteria and associated scrutiny processes, and makes periodic recommendations on their development to the Board. ACDAP's responsibilities include consideration of applications for degree-awarding powers, receipt and discussion of reports on individual applications at various stages of scrutiny, and making recommendations on applications to the QAA Board.

¹ The Academic Infrastructure comprises the two frameworks for higher education qualifications (FHEQ), one for England, Wales and Northern Ireland, the other for Scotland; subject benchmark statements; programme specifications; and the *Code of practice for the assurance of academic quality and standards in higher education*.

- 34 QAA's recommendations have a significant impact for applicant FEIs and the UK higher education sector in general. Recognising this, ACDAP formally considers applications received to establish whether an institution has established a *prima facie* case to proceed to a detailed scrutiny of its application. ACDAP considers the documentation submitted by the applicant FEI; information held by QAA relating to an institution's QAA audit/review track record; and, where appropriate, comments received from validating partner institutions and initial advice from the relevant funding council. Evidence cited by the institution in its CSA should be readily available to QAA on request.
- 35 If ACDAP decides that the application should receive further consideration, QAA will make arrangements to undertake a detailed scrutiny of the applicant FEI and liaise with the institution accordingly.
- 36 If ACDAP decides that an applicant FEI has not made an adequate case for detailed scrutiny of its application, QAA will advise the relevant Government department of its decision. The Government department will advise the Privy Council who will inform the applicant FEI accordingly.
- 37 Exceptionally, where the application raises specific matters to be addressed, ACDAP may decide to appoint a small team to undertake an exploratory visit and report back to the Committee. Such visits will normally be undertaken by two assessors and the ACDAP Committee Secretary. In the light of the report, ACDAP will either decide to proceed to a detailed scrutiny or advise the FEI to undertake further development work before proceeding with its application.

The Detailed Scrutiny

The role of the Coordinating Officer

- 38 Once ACDAP has agreed to proceed to a detailed scrutiny of an application, QAA will identify a Coordinating Officer (CO) to manage the scrutiny process. The CO will liaise with the applicant FEI; ensure that scrutiny team members are briefed about scrutiny requirements and their obligations and responsibilities within the process; agree the schedule of engagements to be undertaken as part of the detailed scrutiny; provide progress reports to ACDAP; and oversee the production of the scrutiny team's final report to ACDAP.
- 39 The CO will contact the applicant FEI at the earliest opportunity to begin the planning of the scrutiny process. The CO will request a schedule of internal committee meetings, including governing body and academic decision-making meetings, as well as other major activity (for example, assessment board meetings, validation and review events, away day meetings) to be held whilst a detailed scrutiny might be taking place.

The preliminary visit

- 40 The CO will make a preliminary briefing visit to the applicant FEI in preparation for the detailed scrutiny. The visit is intended to provide an opportunity for the CO:-
- to establish contact with relevant senior officers of the institution;
 - to discuss the form the scrutiny process is likely to take; and
 - to help to avoid any ambiguities relating to the scrutiny process or the *Guidance* more generally.
- 41 Typically, the preliminary visit will include discussion of:-
- the nature and likely duration of the scrutiny process;
 - the documentary evidence available in support of the application;
 - the calendar of key institutional board and committee meetings, including governing body meetings, validation and review events, and examination board meetings to be held in the anticipated scrutiny period;
 - the arrangements for meeting employers and for visits to sites of work-based learning; the composition of the scrutiny team (recognising that the final decision rests with QAA); and
 - operational considerations.
- 42 Whilst the CO will discuss the scrutiny team composition with the applicant FEI at the preliminary briefing visit to ensure that there are no conflicts of interest, QAA reserves the right to appoint teams as it deems appropriate and will confirm team composition following the preliminary visit.

The scrutiny team

- 43 Scrutiny team members are normally drawn from, or have first-hand experience of, organisations which already hold degree-awarding powers and/or university title. Assessors typically have experience as QAA institutional auditors or experience of other QAA review activity.
- 44 The scrutiny team will normally comprise three institutional assessors, supported by a scrutiny secretary. For institutions in Wales, the QAA will normally ensure the inclusion of at least one bilingual institutional assessor upon request.
- 45 QAA seeks to ensure that there is an appropriate balance of suitably senior and experienced individuals involved as scrutiny team members and takes account of any distinctive aspects of an FEI that may need to be reflected in the team's composition.
- 46 If an FEI has participated in QAA's IQER in England, or the equivalent quality process in Wales, QAA will try to ensure that one of the institutional assessors is a former member of the relevant quality process team.
- 47 Members receive guidance on scrutiny protocols, on their role within the process, and on the expectations placed upon them as members of a scrutiny team.

- 48 All communications connected with a scrutiny, written or oral, are treated as confidential to the team and QAA. Written communications relating to the business of a scrutiny are made through QAA's Audit and Review Communication Service (ARCS).

The role of the assessor

- 49 Assessors consider the detail of applications against the relevant criteria contained within the *Guidance*. This involves the examination of documentary evidence; observations of naturally occurring events; meetings with students, staff and governors; and visits to employer organisations, where appropriate. Assessors use the evidence gathered to contribute to the production of their final report to ACDAP.

The role of the scrutiny secretary

- 50 The scrutiny secretary provides administrative support to the team by keeping a record of the team's engagements. The secretary is also expected to be familiar with the *Guidance* and will contribute to the planning of scrutiny activities and the preparation of the team's final report.

Planning

- 51 At an agreed time after the preliminary visit, the scrutiny team will hold a planning meeting:-
- to discuss the documentation provided;
 - to prepare for its initial series of engagements with the applicant; and
 - to consider the nature of the subsequent scrutiny schedule of engagements.
- 52 Team members are expected to have read the CSA and any other supporting documentation to familiarise themselves with the applicant FEI. The planning meeting is intended to enable members to:-
- share their understanding of the organisational context;
 - consider their responses to the documentation provided and the means by which the team might secure the necessary evidence to inform ACDAP's deliberations (which then lead to recommendations being made to the QAA Board and, thence, Government);
 - agree which institutional assessor will be responsible for leading on particular aspects of the scrutiny and for the corresponding sections of the scrutiny team's final report to be presented to ACDAP, recognising the team's shared responsibility for the final report;
 - agree a programme of meetings for an initial (one or two day) visit to the applicant FEI (where the planning visit does not immediately precede such a visit);
 - agree the indicative agenda to be asked at each of the initial series of meetings held during the first visit to the applicant FEI; and
 - agree a schedule of engagements, as appropriate, in outline terms, including visits to sites of work-based learning.

- 53 Following the planning meeting, the CO will forward a proposed schedule of initial engagements to the applicant FEI and will discuss any difficulties raised by the proposals with the institution on behalf of, and wherever possible in consultation with, the team.

The Foundation Degree-Awarding Powers Scrutiny Process

General introduction

- 54 The detailed scrutiny undertaken by QAA is intended to establish that an applicant FEI has the capacity, self-criticality and maturity to be granted the powers sought. The applicant must clearly demonstrate that there can be public confidence, both present and future, in its systems for assuring the quality and standards of degrees awarded in its name.
- 55 A Foundation Degree-awarding powers scrutiny typically involves a series of visits to an applicant FEI, and other learning environments, if appropriate. These visits may be undertaken by the scrutiny team, as a whole, or by individual assessors.
- 56 Time will be spent:-
- reading documentary evidence;
 - meeting groups and individuals identified by the team;
 - observing meetings and other activities considered appropriate by the team; and
 - in team discussions.
- 57 A detailed scrutiny will typically include:-
- a review of documentation made available by the applicant FEI;
 - observation of formal meetings, including governing body meetings, internal committee meetings, validation/review events, and examination boards;
 - structured discussions with staff and students;
 - meetings with employers and visits to sites of work-based learning;
 - consideration of external perspectives on the operation of the institution, through structured discussions with external interest groups (including external examiners (or their equivalent)); and
 - scrutiny of reports arising from external programme/institutional review activities.
- 58 The role of a scrutiny team is to gather sufficient evidence to enable ACDAP to come to an informed view of an applicant FEI's case for Foundation Degree-awarding powers, taking account of the *Guidance* which the Committee has been asked to apply. The team's schedule of engagements will therefore reflect the need for them to produce an evidence-based report for ACDAP's consideration.
- 59 Documents listed in the CSA, along with any other documents cited in the course of the scrutiny, should be available to a scrutiny team. The team will be interested in existing evidence about an applicant FEI's quality and standards (paragraph 10 above refers). Any additional evidence requirements will be agreed between the applicant FEI and the CO following discussion with the scrutiny team.

The initial scrutiny team visit

60 Depending on the size of the applicant FEI, a one to two day visit will normally be held at the start of the scrutiny process to enable the team to meet a representative cross-section of the institution. Typically, such a visit would include meetings with:-

- governing body members;
- the head of the institution;
- other members of the senior management team;
- middle managers;
- teaching staff;
- administrative staff;
- students;
- employers; and
- representatives from the institution's validating body or bodies.

Such meetings should help to place the application in context and enable the team to plan and refine its subsequent schedule of engagements.

61 At the initial visit, the scrutiny secretary will make a record of the meetings for team members who will identify:-

- their collective and individual documentary requirements;
- designated individuals and groups of people they would like to meet; and
- observations of meetings they would wish to undertake in the course of the scrutiny.

As previously indicated, institutional assessors may undertake subsequent visits to an applicant FEI collectively or individually.

Interim visits and reporting

62 Institutional assessors are required to complete a report after each institutional engagement they undertake and within 10 days of the visit. These individual reports are shared with other members of the team via ARCS to ensure that the team, as a whole, is aware of developments at the applicant FEI and to help to inform the developing schedule of institutional engagements as the scrutiny progresses.

63 The individual assessor reports are a key part of the evidence base supporting the findings to be included in the scrutiny team's final report to ACDAP. They should enable scrutiny teams to gather information about the extent to which the relevant criteria are met and to identify any outstanding issues to be resolved. Individual assessor reports are confidential to scrutiny teams and to those members of ACDAP and the QAA Board receiving final reports.

64 The scrutiny team meets at key stages in the scrutiny process (for example, after one term or semester):-

- to review progress;
- establish where gaps in their knowledge base remain; and
- to agree the next steps in the scrutiny process.

The progress of each scrutiny is monitored in the form of reports submitted to the quarterly meetings of ACDAP (paragraph 20 above refers).

- 65 Given QAA's responsibility to offer confidential advice to Government, the detailed scrutiny process has important differences from other QAA review activities and places some constraints on the nature of the interaction that it is possible for QAA to have with applicant FEIs. QAA is conscious, however, of the desirability of maintaining an effective and constructive dialogue with institutions and the schedule of activities for the period of detailed scrutiny will, therefore, include provision for meetings between the CO and institutional representatives, to discuss the progression of the scrutiny and identify any matters where further evidence is required. Typically, such meetings would follow the scrutiny team's progress review meetings.

The final scrutiny team visit

- 66 At the end of the scrutiny, the team conducts a final visit to the applicant FEI. This enables team members to confirm their understanding of institutional practices and procedures, as appropriate, and to enable senior staff to respond to any matters that remain outstanding before the institutional assessors prepare their final report for presentation to ACDAP. At this meeting the team will also consider the key points it wishes to highlight to ACDAP for inclusion in the final report.

Duration of the detailed scrutiny process

- 67 Applicants should be aware that the detailed scrutiny process is both extensive and intensive. The detailed scrutiny of a Foundation Degree-awarding powers application is likely to extend over a full academic year. This does not include the writing of the final report, which should be taken into account when estimating the duration of the overall scrutiny process (see paragraph 32 above). Because it is not a mechanistic process, the precise nature and length of the detailed scrutiny of an application will vary.

Final report to ACDAP

- 68 The detailed scrutiny culminates in a final scrutiny team report to ACDAP. The report is prepared by the team at the end of the scrutiny and is refined and agreed through the medium of the scrutiny team folder. Individual assessor reports produced by team members following their engagements with the organisation will inform the content of the final report which is intended to offer peer-referenced analysis of the detail of an institution's operations in the light of the criteria to be applied. Reports may also identify matters for further consideration by ACDAP.
- 69 Scrutiny teams will not make a recommendation since this is a matter for ACDAP. However, the findings and combined drafting skills of a team will form the basis, and create the overall tone, of the final report presented to ACDAP. Institutional assessors produce their allocated draft sections of the final report, underpinned by reference to

oral and documentary evidence, to deadlines agreed with the CO and contribute comments to ensure that the draft represents the views of the team as a whole.

- 70 In the interests of consistency, QAA's Head of Degree-Awarding Powers and University Title will read the scrutiny team's draft final report before it is sent to the applicant FEI.
- 71 The applicant institution will be invited to comment on and check the factual accuracy of the scrutiny team's draft final report. The CO should send the draft report to arrive at the applicant institution not less than eight weeks before the relevant ACDAP meeting and the institution will have a maximum of two weeks to respond to QAA.
- 72 The CO will send a letter with the draft report giving the date of the ACDAP meeting and the date of the Board meeting where the final report is expected to be considered, making clear that these dates are based on unproblematic cases.
- 73 Scrutiny teams have an opportunity to reflect on any changes that might be required to the report in the light of the applicant FEI's response. Teams then agree the final report, including an executive summary, to be presented to ACDAP. The summary should include matters that the team believes warrant particular attention in the report.
- 74 In reporting to ACDAP, institutional assessors are expected to:-
- provide clear evidence-based reports and expert advice on how the applicant satisfies or falls short of the criteria;
 - explain the critical issues; and
 - advise on necessary improvements or changes an applicant FEI might make to secure a successful outcome of its application.
- 75 The final report will be sent to the applicant organisation for any further comment it might wish to make in advance of the ACDAP meeting at which the report will be considered.

ACDAP advice to the QAA Board

- 76 ACDAP's advice to the QAA Board will be formulated on the basis of the scrutiny team's final report and the Committee's subsequent discussion of the report.
- 77 Where, in the view of ACDAP, the final report raises matters for further consideration or clarification, the Committee may decide to convene a sub-panel of its members to undertake a short and focused visit to the institution before formulating its advice to the Board. On occasion, ACDAP may wish to supplement the membership of a sub-panel with additional external expertise. Most sub-panel visits will be of one day's duration and will normally involve meetings with governors, senior managers, teaching and other staff, students and relevant external interest groups. The visit will result in a further, brief report to ACDAP.
- 78 Where insufficient evidence exists to provide ACDAP with the necessary assurance that the relevant guidance and criteria are satisfied, the Committee may recommend that the application be placed into abeyance to enable the FEI to take such

developmental action as necessary with a view to resuming the scrutiny at a later date. The Committee will determine the period of abeyance but, in general, it is not expected to be longer than two years. Should an extension beyond two years be necessary, applicants should contact QAA (see named contacts at paragraph 22 above) to discuss the options.

- 79 If further evidence is not presented by the end of the abeyance period, ACDAP will consider the application to have lapsed and the QAA Board will be informed of ACDAP's recommendation that the period of abeyance should be ended. The Board, in turn, will notify the relevant Government department accordingly.

QAA advice and notification of final outcome

- 80 When ACDAP has concluded its consideration of an application, it will make a separate report and recommendation which will be submitted to the QAA Board, together with a copy of the scrutiny team's final report. Subject to the approval of the Board, a recommendation, constituting QAA's confidential advice to Government, will be made to the Privy Council through the appropriate territorial Minister with higher education responsibilities. Prior to that advice being given, QAA will inform the applicant FEI of the nature of that advice and the FEI will have a maximum of two weeks to respond to QAA.
- 81 In the case of applications that have been put into abeyance but no further evidence has been presented, ACDAP will report in a similar way to the QAA Board who will, in turn, give advice to Government. Again, the applicant FEI will be advised of the QAA's advice as in paragraph 79 above.
- 82 ACDAP and the Board do not themselves make final decisions about applications and the advice that the Board subsequently provides to Government has recommendation status only.
- 83 Once an applicant FEI receives formal notification of the outcome from the Privy Council, the applicant should advise QAA.
- 84 In the case of institutions with time-limited Foundation Degree-awarding powers, arrangements will be made to ensure that they are subject to review activity within the time limits established.

Subscription to QAA

- 85 Once an FEI is awarded Foundation Degree-awarding powers, it will be expected to subscribe to QAA. Details of subscription rates are available from QAA.

Renewal of Foundation Degree-Awarding Powers

- 86 Initially, it is likely that Ministers will advise the Privy Council that FEIs should be granted Foundation Degree-awarding powers for a fixed term of six years.

- 87 QAA's review of the use of Foundation Degree-awarding powers, before the end of this period, will normally be based on evidence gathered during the routine periodic review of HE provision in FEIs, which takes place at least every five years. The IQER process in England and the equivalent quality assessment process (under development) in Wales will include an assessment of how FEIs assure the standards of awards for which they have responsibility.
- 88 Following the grant of Foundation Degree-awarding powers, QAA will consider whether a modified version of the relevant assessment process could be introduced, or whether an additional, separate, process will be required. In considering this question, QAA will take into account the need to ensure that the main purpose of the relevant quality assessment process is not jeopardised; proper safeguards for the standards of Foundation Degrees are in place; and that the principles of good regulation (proportionality, accountability, consistency, transparency and targeting) are observed. If necessary, an additional visit to the FEI, within six years after the award of powers, may be used to supplement the evidence available from the relevant quality assessment process. QAA's standard 'causes for concern' procedure will also be available to deal with any serious shortcomings that may emerge between routine reviews.
- 89 Having received advice from the relevant Government Department, the Privy Council will determine whether to make a new Order granting Foundation Degree-awarding powers. Such an Order could again be time-limited, or could be made indefinitely. The Privy Council will also take a decision as to whether the restrictions should apply. These will be separate considerations, but may be informed by the same body of evidence. It should be noted that progression from limited to full Foundation Degree-awarding powers will not be automatic; re-applications will be considered on a case-by-case basis, following re-assessment by QAA.

Information Sharing

- 90 QAA is aware of the demands placed on an applicant FEI, both by regulatory bodies and, on occasion, by other QAA review methods. QAA is a member of the Higher Education Better Regulation Group and co-signatory to a number of memoranda of understanding with other external bodies. QAA recognises that the means used to collect information and assure standards should make no greater demands on an institution than is absolutely necessary.
- 91 QAA will seek to cooperate with external, regulatory bodies on the scheduling of review activities and will, wherever possible, aim to timetable its own reviews to take due account of an FEI's particular situation, whilst ensuring the integrity of review processes to be applied.
- 92 QAA will try to ensure that evidence is shared, where appropriate and according to agreed protocols, with other external bodies and internally within QAA. However, a Foundation Degree-awarding powers final report is confidential and unpublished and will not therefore automatically be made available to an institutional audit team, for example, when an audit follows a Foundation Degree-awarding powers scrutiny. A final report can only be made available to the audit team with the institution's permission, and used to provide background information and to help identify themes, issues or good practice.

Causes for concern

- 93 QAA has protocols for dealing with complaints against an institution or causes for concern investigations. An investigation will not normally be conducted when an institution is involved in an imminent review or progressing a QAA review of another sort. QAA will normally seek to conclude any causes for concern investigation in advance of the conduct of another type of closely-scheduled QAA review at the institution.
- 94 If a Foundation Degree-awarding powers scrutiny has started and a causes for concern investigation has been declared, the CO and scrutiny team will be shown only the causes for concern announcement letter. The team will be informed that its report may be made available to the causes for concern investigation, if the investigators believe that it would be useful. The FEI would also be informed.
- 95 If the causes for concern investigation has concluded, the scrutiny team will be shown only the announcement letter to the FEI and the final causes for concern report. The team will also be informed whether the letter or report makes any reference to any later audit or review expectation, for example that a review or audit should be brought forward. The applicant FEI will be informed that the protocol has been implemented.

QAA Policy on the disclosure of Degree-Awarding Powers/University Title Records

- 96 QAA introduced a revised policy on the disclosure of records relating to degree-awarding powers/university title records in March 2009. This policy can be found at http://www.qaa.ac.uk/reviews/dap/disclosure_policy.asp.
- 97 Under the policy, all records are closed until the decision of the Privy Council has been made public. After the Privy Council's decision, access to records specified in the policy will be given on request.
- 98 Following publication of the first audit report after the grant of degree-awarding powers, or five years after the Privy Council's decision, whichever is the longer, access will be given to the final institutional assessors' report which may be subject to commercial interest redactions. The organisation which is the subject of such a report may grant access to the report before this time if it so chooses.
- 99 Ten years after the Privy Council's notification, QAA will give access, on request, to all remaining degree-awarding powers records, subject to any remaining issues of commercial confidentiality.

Evaluation of the process

- 100 After the FEI has received formal Privy Council notification and the final report on the scrutiny of its application, the institution, the CO and the scrutiny team will be asked to evaluate the process. The FEI will also be invited to provide written feedback at a point mid-way through the process. Evaluations will be conducted in confidence by QAA's Information Unit and the outcomes used internally to review and improve the operation of the scrutiny process.

Costs

- 101 QAA cannot meet the costs of this activity from its other sources of income and will therefore charge FEIs a fair fee for managing the process of scrutinising the application and providing advice to the relevant Government department. This charge will be made once ACDAP has agreed to proceed to a detailed scrutiny of an application. Details of the charges applicable and stages of payment are available on the QAA website.
- 102 The fees set out on the website reflect a standard fee to cover costs incurred up to, and including, the assessors' final report to ACDAP. Should any substantial additional expenditure be incurred, a further charge may be required to ensure costs are covered. Since the amount of the remaining work may vary between applications, such further charges will be set individually and charged at the end of the process. Advance notification of any such charge will be given prior to any additional costs being incurred.

Complaints and Representations

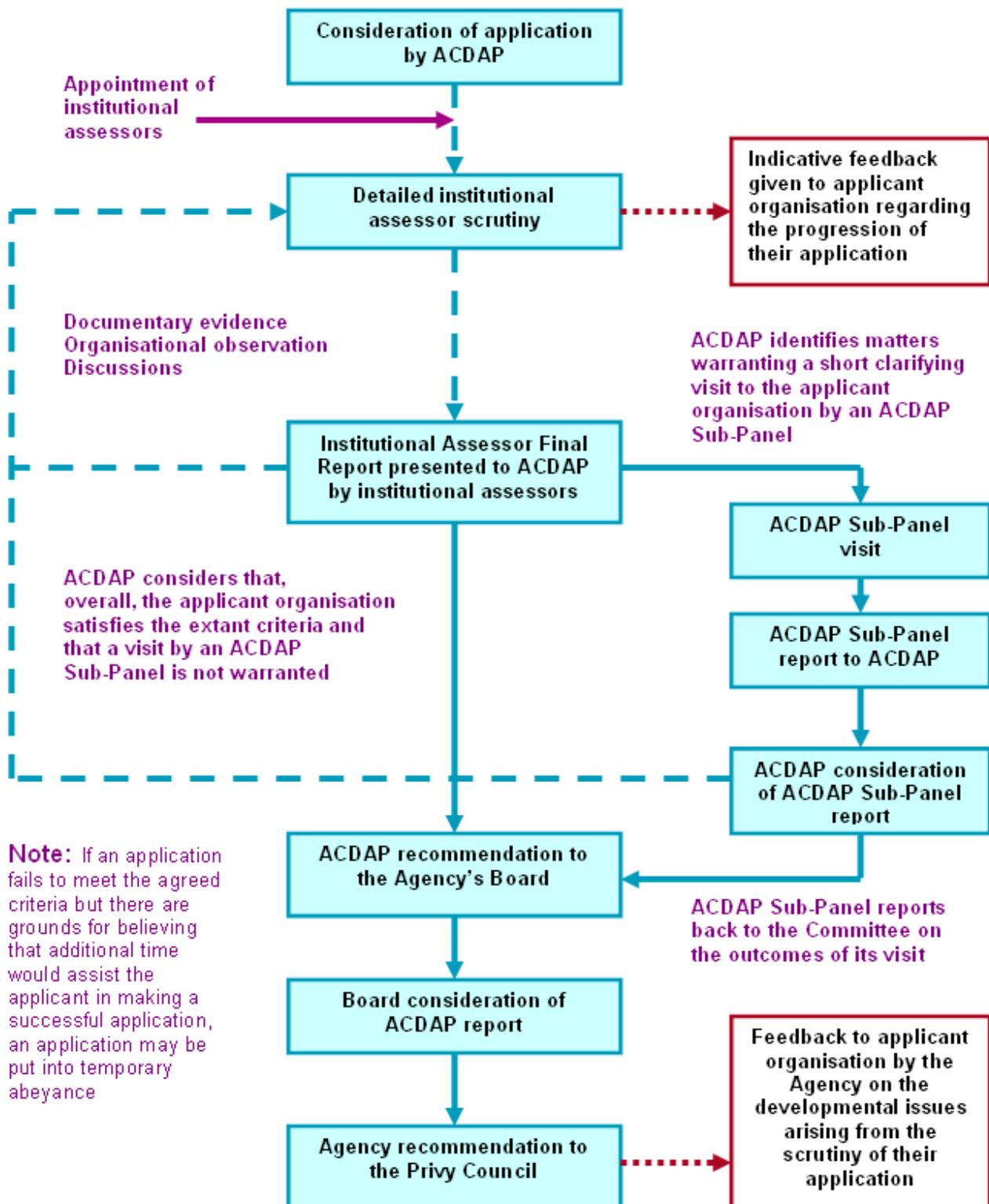
- 103 Complaints relating to QAA's processing of applications for the grant of Foundation Degree-awarding powers should be made in accordance with the procedures published on its website: <http://www.qaa.ac.uk/aboutus/policy/complaints.asp>.
- 104 QAA's role in considering applications for the grant of Foundation Degree-awarding powers is to offer confidential advice to the relevant Government department. Any complaints about QAA's advice, or representations against subsequent decisions by the Privy Council, should be addressed to the relevant Government department and not to QAA.

Contacts for further information

- 105 Initial enquiries about the submission of applications for Foundation Degree-awarding powers should be made to Dr Irene Ainsworth or Nick Pack (see paragraph 22 for contact details).

Appendix 1

Schematic representation of QAA's involvement in the Foundation Degree-awarding powers scrutiny process



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