



## FOUNDATION DEGREE AWARDING POWERS FREQUENTLY ASKED QUESTIONS

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## **1 Is it open to FEIs across the UK to apply?**

Further education institutions (FEIs) in England have been able to apply to the Privy Council for powers to award foundation degrees since 1 May 2008 under the provisions of the Further Education and Training Act 2007. Since 1 October 2010, under the provisions of the Apprenticeships, Skills, Children and Learning Act 2009, FEIs in Wales have also been able to apply.

FEIs applying should have at least four consecutive years' experience, immediately preceding the year of application, of delivering higher education programmes at a level at least equivalent to the foundation degree.

The demands associated with the grant of foundation degree awarding powers (FDAP) are such that it is anticipated that only those with experience of providing significant volumes of high quality foundation degree programmes are likely to be able to meet the criteria. It is expected that applicants will often be large providers already receiving direct funding for their higher education provision.

Although foundation degrees are offered in Northern Ireland, there are no plans to enable FEIs there to apply for FDAP. Scottish FEIs do not offer foundation degrees.

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## **2 Can overseas institutions apply for FDAP?**

No. Only FEIs in England and Wales will be able to apply for FDAP.

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## **3 Can private organisations/companies apply for FDAP?**

No. The powers are restricted to institutions within the FE sector; this does not include private providers. The Acts enable only institutions in England and Wales within the further education sector (ie institutions incorporated under Section 15 or 16 of the 1992 Further and Higher Education Act or designated under Section 28 of the same Act) to apply.

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## **4 Can higher education institutions and specialist institutions of higher education apply for FDAP?**

No. The FDAP provisions apply only to those institutions in England and Wales designated as further education institutions.

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## **5 Who is involved in the process?**

The process begins and ends with the Privy Council which will forward applications to the Secretary of State for BIS, or the Secretary of State for Wales, who seeks advice from the Welsh Ministers, depending on whether the FEI is located in England or Wales.

Before seeking advice from the QAA, the relevant Government Department will assess the financial sustainability and risk assessment of an FEI. In the case of English applications, BIS will seek the views of the Skills Funding Agency (SFA). In the light of advice given, the relevant Government Department will decide whether to seek advice from the Quality Assurance Agency (QAA) on the application. QAA will only proceed to consider an application once it has received a formal request from relevant Government department to do so.

The advice provided by QAA is based on consideration of applications by QAA's Advisory Committee on Degree Awarding Powers (ACDAP) in the first instance. If the Committee decides that an application merits further detailed scrutiny, a team of institutional assessors (the scrutiny team) will be appointed to collect evidence relating to the criteria to be satisfied and will report back to ACDAP. The scrutiny team's report should inform the Committee's deliberations and enable it to make a recommendation to the QAA Board of Directors. The Board's recommendation is then communicated to the Privy Council through the relevant Government Department.

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## **6 Why have we got to consult our students before we submit an FDAP application?**

This commitment was made during the passage of the Further Education and Training Bill (2007) in recognition of the importance attached to the need for FEIs to consult their students before applying.

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## **7 What happens if none of the students want the FEI to apply for FDAP?**

It will be for the FEI to consider the implications of FDAP for its future student recruitment and to make a judgement on whether it is advisable to apply for FDAP.

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## **8 What happens if we have difficulty in getting an HEI to sign up to a progression arrangement?**

It is the responsibility of the awarding institution to ensure progression routes for its foundation degree students. It may wish to enlist the help of Foundation Degree Forward (FDF).

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**9 What happens if my institution is considered to be at risk? Does this mean that my application will not be considered?**

Not necessarily. The relevant Government Department will consider the individual circumstances of any institution considered to be at risk before making a decision on whether to seek QAA's advice on an application. For example, they will wish to consider any action plans in place to reduce the risks and the time frames for recovery.

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**10 Does that mean that we will get a visit from the Skills Funding Agency (SFA) before an application can go forward?**

No, the SFA will give advice based on evidence that is already readily available to it in line with its Guidance to Colleges. The Skills Funding Agency does not apply to institutions in Wales.

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**11 What bearing will any major change in the institution, for example, merger or other major restructuring, have on an application?**

ACDAP and the scrutiny team involved in a detailed scrutiny will wish to know more about the extent to which changes have been embedded, and the outcome of the institution's own evaluation of the effectiveness of changes made. The applicant institution will need to be realistic in terms of the time required to complete such an evaluation and to provide evidence of its capacity for mature self-reflection in the process.

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**12 How much is the scrutiny process going to cost?**

The fee for an FDAP scrutiny will be £52,000. The current fee structure for degree awarding powers can be found on the QAA website. The fee will be levied at the point at which ACDAP agrees to proceed to a detailed scrutiny of an application. QAA reserves the right to charge a supplementary fee if applications require an extended period of scrutiny or other factors add significantly to the cost incurred by QAA.

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### **13 Do we have to subscribe to QAA before we can have our application considered?**

It is not necessary to become a QAA subscriber to have an application considered.

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### **14 Do we have to subscribe to QAA if the outcome of our FDAP application is successful?**

Yes, an FEI is expected to become a subscriber once it has been granted FDAP given the shared responsibility, on the part of all degree-awarding power institutions, to collectively assure the standards of UK higher education awards. The subscriptions received from applicant FEIs which have been granted FDAP will also cover the costs of subsequent review activity to confirm their powers.

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### **15 Do we have to complete the Integrated Quality and Enhancement Review (IQER) or equivalent process in Wales before submitting an application for FDAP?**

IQER and the equivalent process in Wales constitute a major element of the evidence base that will be sought for FDAP. As such, applicants in England are advised to complete the IQER process and applicants in Wales are advised to complete the equivalent process in Wales before coming forward for FDAP. However, it is open to an applicant to discuss possible timings of their IQER or equivalent process in Wales and FDAP with QAA, in the light of their particular circumstances, to establish an appropriate course of action.

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### **16 How long is the scrutiny process likely to take?**

A detailed scrutiny is both an intensive and extensive process and usually takes an academic year to complete. Applicants should be aware that the scrutiny process may therefore take 16-18 months from the time of application until the final recommendation is made to the Privy Council, and can take longer, as required, to secure the necessary evidence to demonstrate that applicants meet the necessary criteria.

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### **17 What documentation, in addition to the critical self-analysis, should QAA receive?**

The critical self-analysis (CSA) should be a stand-alone document, making the applicant organisation's case for FDAP. However, applicant organisations are encouraged to provide prospectuses, strategic and operational plans, teaching quality handbooks, and staff handbooks to QAA to enable it to acquire a full understanding of the organisation, its structure and function. The CSA should be prefaced by a letter from the Chair of the applicant institution's Governing body and accompanied by a letter of support from the principal of its main validating body(ies).

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## **18 What does QAA do with the CSA?**

Once QAA has received a formal request from the relevant Government Department to consider an application, the CSA will be discussed at the next available meeting of ACDAP, which meets on a quarterly basis, usually in September, December, March and June each year. If the Committee agrees that there is a prima facie case to proceed to a detailed scrutiny, a QAA officer will be appointed to coordinate the scrutiny and will visit the applicant FEI for a preliminary discussion of the arrangements for the scrutiny. An assessor team will also be appointed.

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## **19 What happens if an application is not progressed - when / how can we re-apply?**

If an application is not progressed by ACDAP, QAA will need to be satisfied that the reasons for rejection have been addressed before considering any re-application. The timing of the applicant FEI's response will be determined by the level of development activity that may be required to ensure that it is placed in a stronger position, should it choose to re-apply.

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## **20 How does the FDAP process differ from other review processes used by QAA?**

There are several differences. For example, applicant FEIs applying for FDAP are doing so on a voluntary basis. QAA will only consider an application on receipt of a formal request from the relevant Government Department and the confidential nature of the advice that QAA offers to Government constrains the nature of the interaction QAA is able to have with applicant FEIs (see paragraph 29). The process requires the scrutiny team to gather evidence to test the claims of the applicant's readiness to hold FDAP with a view to informing ACDAP's deliberations and nature of the Committee's subsequent recommendation to the QAA Board, Government and thence the Privy Council. Recommendations made by QAA in this context have advisory status only and it is only once the Privy Council has formally notified the applicant FEI of the outcome of a scrutiny that the process is deemed to have been completed.

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## **21 What size of team can we expect?**

The detailed scrutiny of applications for FDAP will normally involve a team of three assessors. The team will be supported by the coordinating QAA assistant director and an assessment secretary.

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## **22 Where do the institutional assessors come from?**

Institutional assessors are typically appointed from within QAA's pool of experienced institutional auditors or reviewers. They operate at, or have held, senior positions within higher education institutions across the United Kingdom, or have experience at a similar level. As such, they understand the expectations associated with the higher education awarding function and have reasonably current and wide-ranging senior level institutional management experience and an active understanding and engagement with current issues in higher education. For institutions in Wales, the QAA will normally ensure the inclusion of at least one bilingual institutional assessor upon request.

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## **23 To what extent is evidence from a validating institution a major consideration in the assessment of the grant of FDAP to an FEI?**

Where an applicant FEI has one or more validating partner institutions, that is, institutions that award the foundation degrees delivered by the FEI, QAA will invite those institutions to offer comments on the nature of the operational relationship that has been established and a judgement on the suitability of the FEI's intention to seek FDAP. However, validating institutions will not have a power of veto over an application in this respect: negative comments will not necessarily invalidate an application, but will be considered by QAA as an element of the overall evidence submitted.

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## **24 Is there a prescribed structure for a scrutiny?**

There are common elements in the scrutiny process. However, the precise nature of each scrutiny will be determined by the team conducting the scrutiny. The scrutiny team must be confident that it has secured sufficient evidence to underpin the findings it submits to ACDAP in the form of a final report, which indicates the extent to which the applicant institution has satisfied the FDAP criteria. ACDAP will decide the nature of the recommendation to be made in the light of the final report.

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## **25 What is the nature of employer involvement in the scrutiny?**

Typically, at an early stage in a detailed scrutiny, the scrutiny team will visit the applicant institution to hold a series of meetings with a representative cross-section of the institution's constituencies, including employers. This series of meetings provides an opportunity to place the application in context. The assessors will also undertake visits to students' learning sites, including work-based learning sites.

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## **26 Will students be involved in the scrutiny?**

Aside from the initial student consultation that FEIs are required to undertake from the outset, the scrutiny team will wish to meet a representative range of students in the course of the scrutiny process.

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## **27 Will the review reports and inspection reports of other external bodies be taken into account?**

Yes. These constitute part of the evidence base and offer another perspective on an applicant institution's track record in managing its provision.

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## **28 Will the scrutiny involve observation of lessons?**

QAA will scrutinise the delivery methods that an applicant FEI uses or intends to use and the processes in place for monitoring the quality of provision for those elements of its foundation degrees delivered off-campus. The institutional assessors will not normally observe lessons but will visit sites of teaching and learning and will discuss aspects of the management of students' teaching and learning with staff, students and employers in the course of a scrutiny.

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## **29 Will we get feedback on how we are doing?**

The scrutiny process is not a developmental process. Institutional assessors are required to collect and test evidence provided by an applicant in support of its application, and against the criteria to be applied. The assessors will take stock and review progress, as a team, as the scrutiny proceeds. This will enable the team to identify those areas where it believes there are gaps in the evidence base, or matters

warranting further consideration. These will be reflected in discussion with the coordinating QAA officer and the team, and in the design of the next stage of the detailed scrutiny.

QAA is conscious of the need to maintain a constructive dialogue with institutions and the schedule for the detailed scrutiny will include provision for meetings between the coordinating officer and institutional representatives to discuss progress.

Once a detailed scrutiny has started, it is open to the applicant institution to request that its application be placed in abeyance if it considers that further development is needed with regard to any aspect of the criteria, or indeed, if major changes occur which might have a negative impact on the scrutiny. ACDAP may also recommend that an application be placed in abeyance if it does not consider that an applicant institution has satisfied the criteria.

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### **30 If FEIs are able to award their own foundation degrees, does that mean they will no longer need to work in partnership with HE institutions?**

Absolutely not. The new powers will only be suitable for a small number of FEIs which are large and experienced HE in FE providers. Even those that have the wherewithal to acquire the powers may decide that their current validation partnerships with HEIs are the best way to continue delivering Foundation Degree programmes. FE and HE institutions will need to continue working together to ensure clear progression routes exist for students awarded an FD by an FEI.

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### **31 What happens if students on foundation degree courses want their degrees awarded by a university, not the FEI, when it gets its FDAP?**

Students in the middle of foundation degree courses when powers are awarded should have a choice of either being awarded a foundation degree by the validating university or by the FEI.

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### **32 If we are awarded FDAP, do we have to award all our foundation degrees or can some continue to be awarded by our partner HEI/s?**

There is no reason why an FEI with FDAP cannot award some of its own foundation degrees, and continue to work in partnership with an HEI in awarding others. FEIs that do not gain FDAP will continue to work in partnership with a validating HEI in the delivery of foundation degrees.

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### **33 What effect will this provision have on the current HEFCE and HEFCW funding structures for HE delivered in FEIs? Will FEIs with FDAP get more money?**

The acquisition of FDAP and additional public funding are separate issues.

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### **34 Are FDAP granted indefinitely?**

If an FEI is successful in its application, it will be granted FDAP. The Privy Council can make time-limited orders, and it will be advised that, in the first instance, an order should be made for a period of six years. Once this period has been completed, the institution may apply for the powers to be renewed. Renewal of the powers will be subject to a satisfactory assessment by QAA.

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### **35 Will any other restrictions be placed on the way in which a successful FEI can use its FDAP?**

An order granting FDAP may specify two restrictions on the use of those powers. These may provide that an institution granted FDAP does not have the power to authorise other institutions to make awards on its behalf; and an institution granted FDAP may only award a foundation degree to a student who was enrolled at that institution at the time (s)he completed the course of study for which the award is made. It is expected that the Privy Council will impose both of these restrictions when an order granting FDAP is made for the first time.

When an institution applies for the renewal of its powers at the end of the expected six-year "probationary period", the Privy Council may decide to make a new order that does not provide these restrictions. The "upgrade" of powers will not be automatic; QAA will assess the way in which an institution has exercised its powers in the first six years, and this assessment will inform the decision as to the scope of powers that are granted.

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### **36 If an FEI is successful in gaining FDAP, will it still be subject to IQER or a similar process thereafter?**

If an FEI has achieved FDAP, it will continue to be subject to the relevant quality review process applicable to the country in which it is located. For FEIs in England this is, IQER until 2011. Thereafter, English FEIs will be subject to the IQER successor review method to be applied.

Where the IQER post-dates a successful FDAP outcome, the subsequent IQER will either be adapted to ensure that reviewers follow up how the FEI has discharged, and continues to discharge, its FDAP responsibilities, or a separate event will be held in addition to IQER with a view to informing the FDAP renewal process.

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### **37 Do we have to start the process all over again if we are not successful following a detailed scrutiny?**

If there are gaps in the evidence base which mean that it is not possible to assess the extent to which an applicant FEI satisfies the criteria, the institution may be advised to place its application into abeyance for a period of time to enable it to come forward with evidence in support of its application at a later date. If the applicant has satisfied the Committee that other parts of the criteria are met, the focus of any subsequent scrutiny activity would be on those areas where the criteria remained to be met.

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### **38 Can we apply for taught degree-awarding powers within the initial six year FDAP probationary period?**

There is nothing to stop a successful FDAP applicant institution from applying for taught degree-awarding powers within the initial six year approval period. An applicant will wish to think carefully about the implications of the higher level powers and the extent to which it is able to demonstrate the strength of its track record as a foundation degree-awarding institution, since this will be an important part of the evidence base for the new powers sought.

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