

## **Report from the Quality Assessment Committee**

### **Issue**

1. The board is kept informed of the work of its Quality Assessment Committee (QAC) by receiving a report on the outcomes of each meeting. The attached report summarises the outcomes of the QAC meeting held on 5 December 2019. This report will be supplemented by an oral report given by the deputising chair of the committee.

### **Recommendations**

2. The board is invited to receive the report of the Quality Assessment Committee.

### **Further information**

3. Available from Monisha Shah.

## Quality Assessment Committee report

December 2019

### DQB monitoring

4. The committee received a paper updating it on the work that QAA had been undertaking as the Designated Quality Body and its performance against the Key Performance Measures (KPMs). The committee receives regular updates on the DQB's progress, and the QAC meeting in February 2020 will be important in reaching a view on the QAA's overall performance as the DQB. The committee will provide a further update to the board following the February meeting.
5. Every 6 months, the QAC is invited to provide a judgement of its confidence on the statement, "The QAA has fulfilled its role as the DQB effectively." The judgement is based on the QAA's performance against agreed KPMs. The Committee was due to make its first judgement at this meeting.
6. Exempt from publication.
7. The QAA had submitted its own report to the Committee, setting out its own assessment of its performance against the KPMs. Exempt from publication.
8. The committee discussed the DQB's performance in relation to the agreed activities and milestones from 1 April 2019 to 31 March 2020, which are set out in Schedule 2 of the designation agreement (MOU). The QAC noted that during the last two quarters (1 April to 30 September 2019) QAA activities have largely been undertaken in line with agreed timescales.
9. Exempt from publication.
10. QAA's Chief Executive and the (newly appointed) Executive Director of Operations joined the meeting for this item. The QAA had been asked to make a presentation on its performance in relation to the KPMs that are currently measurable, its understanding of the requirements of, and progress towards, a principles and evidence-based approach to regulation exempt from publication.
11. The QAA's presentation to the committee reported that the organisation had made significant changes to organisational structures, roles, training and processes in order to ensure that the QAA is equipped to meet the requirements of its DQB role and the new regulatory environment.
12. The QAC committee discussed the QAA's performance against specific key performance measures (KPMs) that are currently measurable. These were:
  - KPM 1a (Are the assessments evidence based?);
  - KPM 2 (Do the assessments enable OfS decision-making?);

- KPM 5 (Do reviewers have the right expertise?); and
- KPM 6 (Are outputs delivered on time?).

13. Exempt from publication.

14. Exempt from publication.

15. Exempt from publication.

16. The committee agreed that in light of the progress that had been made, and with a view to allowing further time for the QAA organisational structure to be embedded, it was minded not to provide its first confidence judgement until its meeting in February 2020. It was expected that, at that meeting, officers will provide a detailed update on the issues raised at the meeting and report on progress following the committee's discussion with the QAA. Exempt from publication.

QAA officers then left the meeting.

17. The committee also noted that there had been some issues relating to the collection of DQB statutory fees from providers. Registration condition G3 requires a provider to pay the fees charged by the designated bodies (as well as OfS annual registration fees), and the OfS had written to a number of providers in relation to late payment of the DQB annual fee. Officers confirmed that the following issues were encountered with a number of providers:

- a. Providers had not responded to QAA requests for a purchase order number so invoices had been issued without these, which in turn had not been paid as a result.
- b. Invoices for DQB fees had been sent to incorrect or out-of-date email addresses.
- c. Revised payment dates had not been shared with the OfS.
- d. Providers had contacted the QAA with queries about their invoices, but had not received a response.
- e. QAA systems had failed to record some payments that had been made on time.
- f. General ambiguity in the information provided by the QAA to providers had led to confusion, including in relation to the difference between requests for payment of statutory DQB fees and the QAA's voluntary membership fee.
- g. Changes had been made to QAA written communications regarding payment of DQB fees after these had been signed off by the OfS and QAA had implied in correspondence with some providers that it would not inform the OfS of all instances of late payment.

18. There were also a small number of cases in which OfS administrative errors had resulted in providers being erroneously informed that they had failed to pay the DQB fee on time.
19. The QAA chief executive has agreed to conduct a lessons learned exercise in relation to fee collection and communications to both providers and the OfS. The committee agreed that the OfS would need to be satisfied that changes had been made to the DQB's fee collection processes to ensure that these issues did not occur in future. This was important because HERA gave powers to the OfS (and not the DQB) to take enforcement action for late or non-payment of DQB fees – the OfS may not be willing to take such action if it could not be confident that the processes for fee collection were clear, consistent with the approach the OfS took in similar areas, and rigorously operated. The committee noted that its obligation to conduct a triennial review of the performance of the DQB included matters relating to DQB fees and agreed that it would return to this issue during 2020-21 as part of that process.

#### Quality and standards update

20. The committee received a paper updating members on a number of quality and standards issues relating to the work of the OfS under section 23 of HERA. These were: degree standards and grade inflation; degree awarding powers; quality assessment of apprenticeship provision for registered and unregistered providers; outcomes from the government's consultation on higher technical education; and assessment against the baseline. The committee also received an update on statutory guidance issued to the OfS on the basis of section 2(3) of HERA.
21. The committee was informed that, as of 5 December 2019, the OfS had received seven sets of statutory guidance from the Secretary of State, which set out the government's priorities for the OfS's work.<sup>1</sup> Three of these sets of guidance had been received in 2019, in February, June and September, with the June 2019 guidance focusing entirely on quality and standards matters.
22. The OfS has had regard to this guidance when performing its functions, as it is required to do under section 2(3) of the Higher Education and Research Act (HERA).
23. The committee was informed that following the OfS's publication in July 2019 of trends in degree classification attainment between 2010-11 and 2017-18, the OfS had written to providers asking for further information/explanations where:
  - a) there was a statistically significant increase in the unexplained percentage of first class degrees awarded in a single year; or
  - b) there was a statistically significant overall increase in the unexplained percentage of first class degrees awarded between 2010-11 and 2017-18.

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<sup>1</sup> All advice to the OfS from government can be found here: <https://www.officeforstudents.org.uk/advice-and-guidance/regulation/guidance-from-government/>

Officers noted that the communications to providers did not imply any wrongdoing on the part of the provider but were sent with the intention of better understanding unexplained increases. The OfS is in the process of analysing the responses.

24. Officers also provided an update on the OfS's approach to variation and revocation of DAPs, and informed the committee that guidance for providers would be published shortly. This has since been published.<sup>2</sup>
25. The committee was informed that the OfS's work in relation to the regulation of degree apprenticeships was progressing well, including work undertaken through the collaborative arrangement with Ofsted, and the new OfS apprenticeship review method for unregistered providers. The pilot activity using the new apprenticeship review method was close to completion, and the "lessons learned" exercise had commenced. This would inform both DfE policy and the future approach to this activity.
26. The committee discussed the OfS's recent publication of a sector-level analysis of the registration process and outcomes in its first year of operations.<sup>3</sup> The OfS plans to consult in 2020 on its approach to assessing condition B3 of registration, including whether the baselines are set at an appropriate level, and was likely to seek advice about this from the committee.
27. The committee discussed the statutory guidance that the OfS had received from government in relation to essay mills. The committee agreed that a more extensive paper on essay mills should be brought for discussion to a future meeting.

#### The OfS's approach to random sampling

28. The committee received a paper on the OfS's current thinking on random sampling. The committee was invited to discuss and provide advice to the OfS on its developing approach to random sampling. In particular, on the elements of the emerging approach to random sampling that relate to quality and standards matters.
29. The committee noted that one of the purposes of random sampling was to gather evidence about the extent to which the OfS's routine monitoring activities were identifying issues that required regulatory attention. It was further noted that the monitoring system was not yet fully in place and that it may not, therefore, be helpful to initiate random sampling activity before monitoring activities were embedded in the OfS and in providers. The committee supported a delay to the introduction of random sampling for this reason.

#### Future committee meetings

12. The next meeting will take place on 13 February 2020.

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<sup>2</sup> Available at <https://www.officeforstudents.org.uk/publications/regulatory-advice-17-variation-and-revocation-of-daps/>

<sup>3</sup> Available at <https://www.officeforstudents.org.uk/publications/registration-key-themes-and-analysis/>