



Educational Oversight Review

Analysis of consultation responses and decisions

July 2024

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Introduction

What we consulted on

1 The Quality Assurance Agency for Higher Education (QAA) is an educational oversight body recognised by the Home Office and UK Visas and Immigration for assessing the quality and standards of 'alternative providers' seeking to obtain or maintain a Student Sponsor Licence, and additionally conducts reviews for certain providers that are seeking specific course designation in Wales, Scotland and Northern Ireland. Currently, QAA operates four separate methods¹ plus an annual monitoring function, to review providers for these purposes. Collectively, we refer to these methods as the 'alternative provider methods'.

2 Providers eligible for the methods described above are subject to a full review once every four years, followed by annual monitoring in the subsequent three years. Providers are assessed against the Core and Common practices of the UK Quality Code for Higher Education (2018 version) and are required to produce an action plan following each full review. The action plan then provides the basis for assessment during the annual monitoring process.

3 Our consultation sought views on a proposal to replace the alternative provider methods with a new single method - Educational Oversight Review (EOR) - with flexible elements to reflect the circumstances of different providers. The details of this new single review method were set out in a consultation document and a proposed provider guidance document.

4 The consultation was open for six weeks and was publicised across a number of platforms. We also held two webinars where we set out our proposals and provided an opportunity for stakeholders to ask questions. We received six responses to the consultation from providers, an awarding body and a representative sector body.

¹ Higher Education Review (Alternative Providers) (HER(AP)); Higher Education Review (Foreign Providers) (HER(FP)); Education, Recognition Scheme for Educational Oversight (RSEO); and Educational Oversight-Exceptional Arrangements (EOEA).

Analysis of responses and decisions

Proposal 1: Categorisation of providers

We asked respondents whether they agreed with the proposed categories of providers set out in paragraph 2 of the guidance document. Respondents were also asked to provide comments.

General comments

5 There was overall agreement with the proposed categories of provider with 83% of respondents in agreement and 17% partially agreeing. Half of the respondents also provided detailed comments, qualifying their response to the question. These responses raised concerns around identifying which category a provider might belong to. Specifically, these concerns were as follows:

- how existing providers subject to the alternative provider methods can identify the new provider category that applies to them
- whether providers will be required to provide some form of proof of ineligibility for registration with the Office for Students (OfS)
- whether category C should be expanded to include those providers eligible to register with the OfS but who choose not to.

Our response

6 We are committed to supporting existing providers subject to the alternative provider methods as they transition to EOR. All providers have been contacted ahead of the publication of this consultation response to advise which category they fall under in the new method.

7 Where a provider in England who is not eligible to register with the OfS is applying for an EOR they will be required to provide evidence of their ineligibility. If QAA is in doubt as to a provider's ineligibility, we may refer the provider to engage with the OfS before we are able to progress their application further. Further information has been added to paragraph 37 of the guidance document to clarify this requirement.

8 A provider in England who is eligible to register with the OfS but has chosen not to is not eligible to obtain educational oversight as directed by the Home Office for the purposes of a Student Sponsor Licence for higher education provision from QAA. The OfS is the Home Office designated Educational Oversight body for this category of provider.

Proposal 2: Components of review

We asked respondents if they considered the proposed structure of each review for each category of provider to be appropriate. Respondents were also asked to provide comments.

General comments

9 Overall, 83% of respondents partially agreed with the appropriateness of the proposed structure of each review for each category of provider, with the remaining 18% of

respondents in full agreement. All six respondents also provided comments, qualifying their responses. Four of these responses highlighted concerns or questions about the financial sustainability, management and governance (FSMG) component. These were as follows:

- a request for further information on possible exemption from the FSMG requirements
- a note that the review method needs to be flexible to accommodate the specific context of each provider
- a query as to whether there will be FSMG mitigations for providers whose context makes elements of the FSMG component less relevant
- a request for further explanation as to why the FSMG component is not a requirement for category C providers.

10 In one response it was suggested that as providers can often stretch over multiple categories it will be important for QAA to work with each provider to best define what components are appropriate to each provider.

11 Finally, one response noted that in previous methods it was made clear that different types of providers would be expected to submit different types of supporting documentation. The respondent suggested that accompanying guidance should clearly set out the nuances in demonstrating key practices for different types of provider to ensure that the provider self-evaluation document remains an opportunity to explain enhancement activity in relevant areas.

Our response

12 In considering the responses requesting further information on possible exemption from the FSMG requirements, we recognise that our phrasing in paragraph 11 of the guidance document could be clearer. We have reworded this to explain that there may be circumstances where we **alter** the FSMG requirements for a category A provider to better reflect the specific context of that provider. Where these requirements are altered, this will need to be agreed with both QAA and UK Visas and Immigration.

13 In response to queries about FSMG mitigations, it is our intention that clarification to paragraph 11 of the guidance document serves to demonstrate the flexible nature of the EOR method and specifically the potential mitigations available for the FSMG component.

14 Category C providers undertake EOR on a voluntary basis for quality enhancement purposes only. The review of a category C provider cannot be used for regulatory purposes - therefore there is no need for QAA to apply the cost and burden of the FSMG module. We have considered the possibility of offering an FSMG on an optional basis to category C providers but we do not consider it appropriate to do so because we do not believe that any third party should then rely on an FSMG check where it has been undertaken on an optional basis.

15 As set out in paragraph 6 of this document, all existing providers subject to the alternative provider method have been contacted ahead of the publication of this consultation response to advise which category they fall into under the new method. In paragraphs 36 to 38 of the guidance document we set out the steps we will take as part of the application process to establish the category that a provider new to this method falls into.

16 We will provide separate self-evaluation documents (SEDs) for the Full and Core component to ensure that providers are targeting their self-evaluation to the Sector-Agreed Principles of the UK Quality Code (2024) that are relevant to their review. As set out in paragraph 62 of the guidance document, further guidance about the structure and content of

the SED will be made available to all providers. Providers should look to ensure that they are utilising their evidence submission to support their self-evaluation. This will provide an opportunity for providers to clearly define their individual context and demonstrate the how they are meeting the Principles in practice.

Proposal 3: A single method of FSMG check

We asked respondents if they agreed that all category A providers should be subject to a consistent FSMG check. Respondents were also asked to provide comments.

General comments

17 Half of all respondents did not agree with the proposal that all category A providers should be subject to a consistent FSMG check, 17% of respondents partially agreed and 33% were in full agreement with the proposal. All six respondents also provided comments, qualifying their response to the question. These were as follows:

- a request for further information on possible exemption from the FSMG requirements
- a query as to whether the FSMG is suitable for all provider circumstances
- a suggestion that the FSMG in its current format should be kept rather than making any radical changes to the method of data collection.

Our response

18 As set out in paragraph 12 of this document, in considering the responses requesting further information on possible exemption from the FSMG requirements we recognise that our phrasing in paragraph 11 of the guidance document could be clearer. We have reworded this to explain that there may be circumstances where we **alter** the FSMG requirements for a category A provider to better reflect the specific context of that provider. Where these requirements are altered, this will need to be agreed with both QAA and UK Visas and Immigration.

19 In response to queries about the suitability of the FSMG for some providers, it is our intention that clarification to paragraph 11 of the guidance document serves to demonstrate the flexible nature of the EOR method and specifically the potential mitigations available for the FSMG component.

20 The FSMG component of the EOR is a core requirement as set out by the Home Office. While there are key elements that we must consider as part of the FSMG check, we have the autonomy to decide how best to do this. Any changes that we look to make to the FSMG will be focused on making things better and more efficient - we are certainly not looking to add more complexity to the process. For the 2024-25 academic year we intend to implement a refreshed approach to the FSMG; we will collect feedback from providers on the approach throughout the year, with a view to confirming the revised arrangements at the end of the 2024-25 academic year. To summarise, it is our intention that providers undergoing the full component review in 2024-25 will have the full FSMG check. For those undergoing the core component review, we intend to implement a proportionate approach to the FSMG and will separate out requirements for different providers, such as embedded colleges and study abroad providers. We will publish further information on the FSMG component ahead of the start of the 2024-25 academic year.

Proposal 4: Indicative timelines for review

We asked respondents if, based on their understanding of the Full and Core component reviews as set out in the guidance document, they agreed that the indicative timescales proposed for a full review were appropriate. Respondents were also asked to provide comments.

General comments

21 There was overall agreement with the appropriateness of the indicative timescales with 83% of respondents in agreement and 17% partially agreeing. Half of the respondents also provided detailed comments, qualifying their response to the question. These were as follows:

- a request for QAA to recognise the increased burden on providers in the initial 2024-25 cycle and to give providers more than 8-10 weeks' notice of their review to allow providers time to prepare and become familiar with the new proposed UK Quality Code
- a concern over the availability of student representatives across the duration of the review and a request for an approach that accommodates different types of provider
- a request for further clarity on how peer reviewers are selected, trained and supported, and a query as to whether provider students and staff will be expected to take part as peer reviewers
- a request for further information on conflicts of interest to be added to Annex 3 of the guidance document
- a request for the timeline to include the draft report being shared with awarding bodies to allow them to check for factual inaccuracies before the report is published
- a query as to whether the indicative timeline has been drafted based on the Core components alone, or if it includes the two additional principles of the Full component.

Our response

22 We are committed to supporting existing providers subject to the alternative provider methods as they transition to EOR. Existing providers subject to the alternative provider methods who are due a review under the new method in the 2024-25 academic year have been contacted by QAA ahead of the publication of this document, to discuss the timelines for their review. We will attempt to schedule as many reviews as possible later in the 2024-25 academic year to allow providers additional time to prepare. We are also in the process of producing a guidance document that maps the Expectations of the 2018 Quality Code to the Sector-Agreed Principles of the 2024 Quality Code. The aim of this document will be to support providers as they prepare for their review.

23 The EOR method has been designed with flexible elements to reflect the circumstances of different providers. Paragraphs 53 to 56 of the guidance document set out ways in which we would encourage a provider to involve their students in the review process, including preparations for the review. However QAA is supportive of a flexible approach to achieving student involvement that best suits the context of the individual provider, as long as students are not being disadvantaged in their opportunity to contribute. We have updated paragraphs 53 and 60 and Annex 3 of the guidance document to reflect this expectation.

24 There is no expectation for staff or students from a provider who is subject to EOR to become peer reviewers, unless they have a particular interest in doing so. Those who are interested in becoming a peer reviewer should look out for QAA recruitment to this role. QAA reviews are carried out by teams of reviewers, who are drawn from universities and colleges across the UK. The principle of peer review ensures providers can be confident that judgements are made by those with experience and understanding of higher education. Students are partners in their learning experiences so each review team has a student as a full member.

25 We have reviewers from all types of providers of higher education - from universities, further education colleges and private colleges, and from the main subject disciplines. Most of our reviewers are academics with postgraduate qualifications, many with doctorates. Some hold senior roles such as Vice-Chancellor, Principal or Pro-Vice-Chancellor. Some reviewers have retired recently from a university or a college and bring with them extensive knowledge and experience of higher education. We try to make sure each review team reflects the type of provider under review. All reviewers are required to undertake mandatory training on appointment which is renewed annually or as required. Reviewers are further trained for specific review methods. All training is conducted by QAA.

26 The information on conflicts of interest contained within Annex 3 of the guidance document provides a brief summary of the QAA [Conflicts of Interest Policy](#). This policy applies to all QAA reviewers. The policy document is published on the QAA website and a link to this has now been included in Annex 3 of the guidance document.

27 The purpose of EOR for category A and B providers is to provide information for regulatory stakeholders regarding the quality and standards of the provider. It is for the provider to share their review report with other relevant stakeholders, including awarding bodies. Awarding bodies and other relevant stakeholders may wish to consider the contents of their contracts with centres if they wish to ensure that a draft copy of the report is shared with them.

28 The timeline set out in paragraph 33 of the guidance document is based on the Full component, but is also accurate for the Core component.

Proposal 5: Simplified application arrangements

We asked respondents if they agreed with QAA removing an application fee for providers requiring a review for the purposes of educational oversight for the Home Office, or specific course designation, and maintaining a fee of £1,500 for providers that request a review for other purposes. Respondents were also asked to provide comments.

General comments

29 All respondents were in full agreement with this proposal and there were no comments to address.

Proposal 6: A standard approach to reviews and analysis

Respondents were asked if they had any comments on the process of the review, including suggestions for enhancements to the guidance.

General comments - process of review

30 Four respondents provided comments in answer to this question. These were as follows:

- a query as to whether the student reviewers referred to in paragraphs 50 to 53 of the guidance document are included in both Core and Full reviews
- a request for the guidance to include clarification as to how different types of providers can meet expectations around student representation
- a request for the guidance to recognise that the method for achieving the same ends will look quite different for different providers and certain key practices might not apply in some providers - for example, greater levels of guidance on aligning Quality Code Key Practices for partnership working
- a request for it to be made clear at the point of report publication how to interpret a category A judgement assessed in different ways for provider context to ensure that judgements are not misleading for other stakeholders, such as overseas bodies
- a note that consulting on this and the Quality Code at the same time is unnecessarily burdensome
- a query as to a potential discrepancy in the guidance for the overall judgement of a Full component, with page 26 of the guidance stating that if there is alignment with a minimum of 10 Sector-Agreed Principles then the provider requires action to be fully aligned, whereas in Annex 6 this number is set at nine.

Our response - process of review

31 A provider will be expected to ensure that it is involving students in both the Full and Core component. However, as set out in paragraph 23 of this document, the EOR method has been designed with flexible elements to reflect the circumstances of different providers. QAA is supportive of a flexible approach to achieving student involvement that best suits the context of the individual provider, as long as students are not being disadvantaged in their opportunity to contribute.

32 The Sector-Agreed Principles of the Quality Code identify the features that are fundamental to securing academic standards and offering a high-quality student learning experience in the UK. The underlying Key Practices set out how a provider can demonstrate that they are adhering to the Sector-Agreed Principles. Using these Principles as the key reference point for this review method is designed to ensure that reviewers are able to consider individual provider context when making judgements as to whether a provider is aligned with the relevant Sector-Agreed Principles. A provider's SED and supporting evidence will form a critical part of the review process as this will be a provider's opportunity to evidence how they align with the principles in a way that is relevant to their context. The report produced by the review team on conclusion of the review will include a summary of the provider's context, where relevant, to ensure the basis on which judgements were made is clear. We have updated paragraphs 21 and 89 of the guidance document to reiterate these points.

33 We do not agree that consulting on the EOR and the Quality Code at the same time is unnecessarily burdensome for the reasons we have already set out in the consultation document. Specifically, the current alternative provider methods use the 2018 version of the Quality Code as their reference point. The revision to the Quality Code would require significant updates to the current methods in any event, and therefore we consider it is timely to produce one set of proposals rather than revising the method, and then revising it further to accommodate a new reference point.

34 Annex 6 of the guidance document has been updated to reflect the information in the table of paragraph 94 of the guidance document. For providers assessed against the Full component, if there is alignment with **10** or more of the Sector-Agreed Principles, but not all, then the judgement will be that the provider **requires action to be fully aligned** with the Sector-Agreed Principles of the UK Quality Code for Higher Education.

Respondents were asked if, in relation to the Core component, they had any comments on the mapping between the Quality Code and the Home Office requirements.

General comments - mapping between Quality Code and Home Office requirements

35 Four respondents provided comments in answer to this question. These were as follows:

- a request for the review method be flexible and take account of the specific circumstances of each provider
- a query as to whether Key Practice C of Sector-Agreed Principle 7 is appropriately placed or whether it should be under a teaching and learning principle instead
- a request for greater levels of guidance on aligning with Quality Code Key Practices for areas where providers are in partnership working and have shared responsibilities
- a request for further detail on how the mapped elements of the new proposed Quality Code that are not directly related to the requirements of the Home Office will impact the outcome of a review.

Our response - mapping between Quality Code and Home Office requirements

36 As set out in paragraph 32 of this document, using the Sector-Agreed Principles as the key reference point for this review method is designed to ensure that reviewers are able to consider individual provider context when making judgements as to whether a provider is aligned with the relevant principles. A provider's SED and supporting evidence will form a critical part of the review process and will be a provider's opportunity to evidence how they align with the Principles in a way that is relevant to their context. We have updated paragraph 21 of the guidance document to reiterate these points.

37 The query regarding Key Practice C of Sector-Agreed Principle 7 has been passed across to the QAA team working on the revised Quality Code for consideration within their consultation response.

38 The request for greater levels of guidance on aligning with Quality Code Key Practices for areas where providers are in partnership working and have shared responsibilities has been passed across to the QAA team working on the revised Quality Code for consideration within their consultation response.

39 The Home Office sets the core requirements that any Education Oversight inspection must cover. It also allows Educational Oversight bodies to add further requirements to their Educational Oversight inspection if they consider it appropriate to do so (see paragraph 3.19 of the Home Office's guidance document *Student Sponsor Guidance – Document 1: Applying for a Student Sponsor Licence*). We consider it appropriate to conduct our EORs using the Quality Code (2024 edition) to set the baseline by which we will review providers.

Proposal 7: Review judgements and resultant actions

We asked respondents if they agreed with the range of judgements we set out in the guidance document and how the judgements will be determined. Respondents were also asked to provide comments.

General comments - range of judgements

40 Two-thirds (67%) of respondents were in agreement with the range of judgements and how they will be determined, with one-third (33%) disagreeing. Four respondents also provided detailed comments, qualifying their response to the question. These responses were as follows:

- a query as to whether a provider will receive detailed judgements for each Principle or just the overall judgement
- a request for the Full review to use judgement terminology that is similar to that used by other review methods operated by QAA
- a note that the judgement table suggests that all Key Practices need to be met, which is not what has been suggested as part of the Quality Code consultation
- a suggestion that there is a significant enhancement gap as providers cannot be identified for improvement under the judgement method without failing to meet the Sector-Agreed Principle.

Our response - range of judgements

41 A provider will receive a judgement for each Sector-Agreed Principle of the Quality Code that they have been assessed against, as well as an overall judgement. The judgement for each Principle will be either that the provider's approach **is aligned** or **is not aligned** with the Sector-Agreed Principles. This is covered in paragraphs 92-93 of the guidance document. The review team will then consider all of the Sector-Agreed Principles for which the provider has been assessed and make an overall judgement. Details of the range of overall judgements are set out in paragraphs 94 and 95 of the guidance document.

42 Where possible we have used judgement terminology that is similar to that used by other review methods operated by QAA. For example, for a provider assessed against the Core component the overall judgements will be that the provider either **meets, requires action to meet** or **does not meet** the Home Office's quality assurance requirements for educational oversight. Overall judgement for providers assessed against the Full component and individual level judgements will be based on alignment with the Sector-Agreed Principles. As we have previously set out, these Principles are designed to be flexible to specific provider contexts - therefore they do not set out categorical requirements for a provider to meet. Instead, they set out Principles which identify the features that are fundamental to securing academic standards and offering a high-quality student learning experience in the UK. It is not possible to say that a provider meets or does not meet a Principle, therefore our judgement terminology in these circumstances is reflective of

whether a provider is aligned with the Principle or not.

43 The recent Quality Code consultation did not consult on the Code in respect of its implementation in relation to any associated review methods, such as EOR. For providers subject to EOR, paragraphs 92 to 93 and Annex 6 of the guidance document set out how review teams will form separate judgements for each principle of the Quality Code.

44 Where a provider has received what is considered to be a satisfactory judgement, a review team may also make suggestions for development points to support enhancement and continuous improvement. This is set out in paragraph 100 of the guidance document.

We asked respondents if they agreed with approach we have set out regarding how we shall determine an unsuccessful outcome for a provider. Respondents were also asked to provide comments.

General comments - determining an unsuccessful outcome for a provider

45 The majority of respondents were in agreement with the approach for determining an unsuccessful outcome, with 83% of respondents in full agreement with the proposals and 17% of respondents partially agreeing. One respondent also provided comments in their response which can be summarised as follows:

- a request that the timeframe to produce an action plan in cases where providers require actions to meet Home Office requirements or align with Sector-Agreed Principles is extended from four to 12 weeks to allow for the action plan to pass through the appropriate governance structures and approval processes, particularly within partnership working
- a request for clarity as to whether there will be a requirement for the action plan to be published.

Our response - determining an unsuccessful outcome for a provider

46 While the guidance notes that providers who receive an unsuccessful outcome will need to produce an action plan within four weeks of receiving their draft report (paragraph 103), providers will be aware of the outcome of the review within one week of the end of the visit, when they receive a letter from the QAA Officer outlining key outcomes from the review (paragraph 86 of the guidance). They will receive this letter four weeks prior to the draft report so will have a total of eight weeks to produce an action plan. We do not intend to increase this timeframe because we deem the regulatory risk to be too great. We are supplying regulatory oversight for the Home Office by assessing the quality and standards of providers seeking to obtain or maintain a Student Sponsor Licence, and reviews for certain providers that are seeking specific course designation in Wales, Scotland and Northern Ireland. It is important that any issues identified are addressed promptly otherwise this could affect provider status in relation to other processes. Providers who have received an unsuccessful outcome may wish to consider the appropriateness of putting in place extraordinary governance arrangements to manage the necessary processes.

47 Yes, as set out in the key stages of the review in paragraph 33 of the guidance document and also in paragraph 118 of the guidance document, once we have accepted a provider's action plan, the provider should then publish this on their website.

Proposal 8: Monitoring arrangements

We asked respondents if they agreed with the proposed approach that the monitoring process will consist primarily of an annual return, and that a monitoring visit will only take place under certain circumstances. Respondents were also asked to provide comments.

General comments - the monitoring process

48 The majority of respondents were in agreement with the proposed approach to monitoring, with 83% of respondents in full agreement with the proposals and 17% of respondents partially agreeing. One respondent also provided a comment in their response which can be summarised as follows:

- a request that the approach is reviewed after the first four-year cycle to ensure that a move to desk-based annual monitoring hasn't resulted in an increased risk of decline in quality and standards.

Our response - the monitoring process

49 In line with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (2015) (ESG), QAA is committed to have in place processes for internal quality assurance related to defining, assuring and enhancing the quality and integrity of our review activities. Further information can be found in the [QAA Approach to Internal Quality Assurance of Assessment and Review Activity](#). We intend to review the EOR method under a continuous improvement approach, ensuring that we are consistently reviewing and improving our activities.

We asked respondents if they agreed with the range of monitoring judgements we set out in the guidance document and how those judgements will be determined. Respondents were also asked to provide comment.

General comments - monitoring judgements

50 All respondents were in full agreement with the range of monitoring judgements set out in the guidance document and how these judgements will be determined. One respondent also provided comments in their response which can be summarised as follows:

- a request for guidance on how providers are expected to evidence enhancement in a year when they are consolidating provision following previous years of active upgrade and expansion, and have less activity to evidence from the 12 months in the return
- a note that, during the annual monitoring process, if there has been a material change in circumstance such as a change in type of provision, it should be clear for those reviewing published information how the provider has demonstrated the additional contextually relevant Sector-Agreed Principles since the initial review, and whether these have become applicable when they were not initially.

Our response - monitoring judgements

51 The monitoring process will focus on an annual review of progress against a provider's action plan - providers will be required to provide evidence that they are making acceptable progress on the things that they have set out in their action plan. Therefore it is imperative

that providers treat the creation of their action plan in a review year as a critical element, as this is the basis on which they will be judged during the monitoring process. Focusing the monitoring process on delivery of the action plan is designed to be a proportionate approach to monitoring while still ensuring that we are able to spot any instances of decline in the quality and standards of a provider.

52 Where a provider notifies us of a material change of circumstances, such as a change to the nature of its provision that would see it moving from requiring a Core review to a Full review, the provider will be required to demonstrate how it meets the additional Sector-Agreed Principles. Further information has been added to paragraph 129 of the guidance document to highlight this requirement.

Proposal 9: Educational Oversight Review fee schedule

We asked respondents if they had any views on the indicative fee schedule.

General comments - fee schedule

53 Two respondents shared views on the indicative fee schedule, these are summarised as follows:

- both respondents voiced concern over the costs of a review and, in one case, the cost relative to the value received with a suggestion that reviewers do not always understand their individual context, which limits guidance and suggestions for improvement
- a concern that the costs of the FSMG, both in terms of staff time to prepare as well as the fee, with a note that the latter costs may be passed on to students via increased programme fees.

Our response - fee schedule

54 An EOR is a requirement for a provider looking to obtain or maintain a Student Sponsor Licence and we would encourage providers to measure the value of a review in those terms. However, we want to ensure that providers receive further value from their review through the identification of good or effective practice, as well as suggestions for development points that a provider can consider in support of its enhancement and continuous improvement. One of the aims of moving to a single review method is to realign and revise the training and support we provide to our reviewers to ensure a full and complete understanding of individual provider contexts. As we transition to this new method we would welcome feedback from providers on how this is being achieved in practice.

55 As set out in paragraph 20 of this document, we are committed to reviewing the FSMG component and ensuring that the approach is proportionate. While it is a core requirement as set out by the Home Office, and there are key elements that we must consider as part of the FSMG check, we have the autonomy to decide how we conduct the check. For the 2024-25 academic year, we intend to implement a refreshed approach to the FSMG - we will collect feedback from providers on the approach throughout the year, with a view to confirming the revised arrangements at the end of the 2024-25 academic year. To summarise, it is our intention that providers undergoing the Full component review in 2024-25 will have the full FSMG check; for those undergoing the Core component review, we intend to implement a proportionate approach to the FSMG and will separate out requirements for different providers, such as embedded colleges and study abroad. We will publish further information on the FSMG component ahead of the start of the 2024-25

academic year.

We asked respondents if they had any views on our proposal to charge the monitoring fee on an academic-year basis, rather than a calendar-year basis?

General comments - charging on an academic-year basis

56 We received two comments voicing agreement with this proposed approach and two comments noting that the respondent had no concerns or points to raise.

Proposal 10: Transition arrangements

We asked respondents if they agreed with our proposal to implement the new review method in the 2024-25 academic year with mitigations in place for existing providers due a full review in that year. Respondents were also asked to provide comments.

General comments - implementation in the 2024-25 academic year

57 There was overall agreement with our proposal to implement the new review method in the 2024-25 academic year, with 83% of respondents in agreement and 17% partially agreeing. Half of the respondents also provided comments, qualifying their responses to the question. These were as follows:

- a comment that it is overly burdensome to have this consultation and the Quality Code consultation running at the same time and to expect providers to be judged against the new Quality Code in 2024-25 academic year
- a suggestion that using the 2018 Quality Code Core practices for reviews in the 2024-25 academic year would assist in supporting providers through the transition
- a note that those providers due to be reviewed in 2024-25 academic year are not aware of the impact to their review schedule and are working on the assumption that they will be reviewed along the same timelines as previous cycles
- a concern about needing to complete the same level of work but in less time and with no greater resource, where timelines have decreased.

Our response - implementation in the 2024-25 academic year

58 We do not agree that consulting on the EOR and the Quality Code at the same time is unnecessarily burdensome for the reasons we have already set out in this document. Specifically, the current alternative provider methods use the 2018 version of the Quality Code as its reference point. The revision to the Quality Code would require significant updates to the current methods in any event, and therefore we consider it is timely to produce one set of proposals rather than revising the method, and then revising it further to accommodate a new reference point.

59 We are committed to supporting existing providers subject to the alternative provider methods as they transition to the EOR method. As set out in paragraph 22 of this document, we are in the process of producing a document that maps the Expectations of the 2018 version of the Quality Code to the Sector-Agreed Principles of the 2024 version of the Quality Code to support providers in their review preparations.

60 In addition and, as set out in paragraph 59 of the consultation document, we will, for reviews taking place in 2024-25 only, direct our reviewers to consider - where they are fully confident - whether a Core practice in the 2018 Quality Code would have been met that is similar in nature to a Sector-Agreed Principle in the 2024 Quality Code, but that further evidence is required to demonstrate the Sector-Agreed Principle is met, then in this case it will be acceptable to form a judgement that the Sector-Agreed Principle is met. In this circumstance, the action plan should be used to ensure that within the next 12 months the provider is able to provide additional evidence in relation to the relevant Sector-Agreed Principles. (If the reviewers consider they would be unable to conclude that the Core practice of the 2018 Quality Code was met, and there is no evidence of alignment with the Sector-Agreed Principles of the 2024 Quality Code, then the reviewers will reach a negative judgement in line with the guidance, with the appropriate consequences).

61 Existing providers subject to the alternative provider methods who are due a review under the new method in the 2024-25 academic year have been contacted by QAA ahead of the publication of this document, to discuss the timelines for their review. We intend to schedule as many reviews as possible later in the 2024-25 academic year (most likely from the early part of the 2025 calendar year). This will allow providers additional time to prepare.

62 We have sought to maintain a number of similarities between EOR and the alternative provider methods while applying different components depending on the provider category. This is designed to ensure that providers are assessed both proportionately and accurately against the relevant requirements associated with their reasons for review (seeking a Student Sponsor Licence; specific course designation or for voluntary reasons) and the context of the higher education being offered by the provider - noting some providers, for example, may only offer short courses. These changes to the method have sought to reduce the level of work required by a provider.

We asked respondents if they had any suggestions for additional mitigations we could implement to aid the transition for existing providers.

General comments - additional mitigations

63 Two respondents made suggestions for additional mitigations we could implement to aid the transition for existing providers. These were as follows:

- to contact individual providers due for review and explain mitigations to ensure they are aware, and also indicate the timescales for their review
- to give providers more than 8-10 weeks' notice in the first year of implementation to give them more time to prepare and become familiar with the new Quality Code
- to find a way to take into account possible inconsistencies due to the fact that reviewers will be coming to a judgement for the first time having had no experience of the sector-agreed approach to implementing the Key Practices.

Our response - additional mitigations

64 As set out in paragraph 60 of this document, existing providers subject to the alternative provider methods who are due a review in the 2024-25 academic year have been contacted by QAA ahead of the publication of this document, to discuss the timelines for their review. We intend to schedule as many reviews as possible later in the 2024-25 academic year (most likely from the early part of the 2025 calendar year). This will allow providers additional time to prepare.

65 As set out in paragraph 22 of this document, we are committed to supporting existing providers subject to the alternative provider methods as they transition to the EOR method. For those providers whose review year falls in the 2024-25 academic year, we intend to give as much notice as possible to prepare for the review - beyond the 8-10 weeks set out in the timeline - and will attempt to schedule as many reviews as possible later in the academic year to allow providers additional time to prepare. We are also in the process of producing a document that maps the Expectations of the 2018 version of the Quality Code to the Sector-Agreed Principles of the 2024 version of the Quality Code to support providers in their review preparations.

66 We have a number of processes in place to ensure the quality assurance of our reports. As set out in this document, to support both providers and reviewers as we transition to the new review method we will, for reviews taking place in 2024-25 only, direct our assessors to consider - where they are fully confident - whether a Core practice in the 2018 Quality Code would have been met that is similar in nature to a Sector-Agreed Principle in the 2024 Quality Code, but that further evidence is required to demonstrate the Sector-Agreed Principle is met, then in this case it will be acceptable to form a judgement that the Sector-Agreed Principle is met. In this circumstance, the action plan should be used to ensure that within the next 12 months the provider is able to provide additional evidence in relation to the relevant Sector-Agreed Principles. (If the reviewers consider they would be unable to conclude that the Core practice of the 2018 Quality Code was met, and there is no evidence of alignment with the Sector-Agreed Principles of the 2024 Quality Code, then the reviewers will reach a negative judgement in line with the guidance, with the appropriate consequences). In addition to this, every report will go through a QAA internal moderation and quality assurance process to ensure that judgements are consistent and standardised across reviews. We have added further information to paragraph 89 of the guidance document to highlight this process.

We asked respondents if they agreed with our proposed approach for managing the transition from the annual maintenance fee to the monitoring fee for providers, subject to the alternative provider methods. Respondents were also asked to provide comments.

General comments - managing the fee transition

67 Three-quarters (75%) of respondents were in agreement with our proposed approach for managing the fee transition, with a quarter (25%) of respondents disagreeing with the approach. One respondent commented their agreement with the proposal, while another provided the comment summarised below:

- a query as to whether the transitional fee arrangements represent a requirement to pay for more review activity than the provider will receive.

Our response - managing the fee transition

68 Providers will be required to pay upfront at the start of each academic year to commit to the method cycle for that year. The payment of the fee supports the infrastructure of the monitoring method and is required to ensure that providers do not fall out of the review method.

Concluding question

We asked respondents if they had any further views in relation to the contents of the guidance document, or in relation to the proposals that they had not included elsewhere in their response to the consultation.

General comments

69 Three respondents provided comments in response to this question. These were as follows:

- a hope that the new approach will see QAA being more responsive to the individual contexts of each provider through flexibility within the method
- a request for providers to have additional support available to them the first time they go through the new review method
- a query as to how QAA will engage with key third parties as part of the EOR process, specifically how an awarding body would know that one of its approved providers was engaging in the new EOR as there has been no reference to providing an awarding body with an opportunity to fact-check a draft report for accuracy
- a note that the EOR Concerns Scheme is a welcome inclusion and provides an opportunity for an awarding body (or anyone else) to provide concerns, but that if QAA was to publish a list of applicants seeking an EOR on its website, this would assist in triggering a justifiable reason to share concerns with QAA.

Our response

70 The EOR method has been designed with flexible elements to reflect the circumstances of different providers. While we have sought to maintain a number of similarities between EOR and the alternative provider methods, we have also applied different components depending on the provider category. This is designed to ensure that providers are assessed both proportionately and accurately against the relevant requirements associated with their reasons for review (seeking a Student Sponsor Licence, specific course designation or for voluntary reasons) and the context of the higher education being offered by the provider - noting some providers, for example, may only offer short courses.

71 We are committed to supporting existing providers subject to the alternative provider methods as they transition to the EOR method. Existing providers subject to the alternative provider methods who are due a review under the new method in the 2024-25 academic year have been contacted ahead of the publication of this document, to discuss the timelines for their review. We will attempt to schedule as many reviews as possible later in the 2024-25 academic year to allow providers additional time to prepare. We are also in the process of producing a document that maps the Expectations of the 2018 version of the Quality Code to the Sector-Agreed Principles of the 2024 version of the Quality Code to support providers in their review preparations.

72 As set out in paragraph 26 of this document, the purpose of the EOR method for category A and B providers is to provide information for regulatory stakeholders regarding the quality and standards of the provider. It is for the provider to share their review report with other relevant stakeholders, including awarding bodies. Awarding bodies and other relevant stakeholders may wish to consider the contents of their contracts with centres if they want to ensure that a draft copy of the report is shared with them by the provider.

73 Where an organisation such as an awarding body has a concern about a provider's academic standards and quality of provision and there is evidence of weaknesses that go beyond an isolated occurrence or broader failings in the management of quality and standards, this should be reported to QAA through the EOR Concerns Scheme. We would hope that a third party would not need further justification to raise these concerns with QAA beyond the concerns themselves.

Conclusion

74 We would like to thank all stakeholders who engaged with this consultation, either through engagement with the webinar or by submitting a consultation response, with specific thanks to those who took the time to provide detailed and thoughtful responses to the questions.

75 On the basis of our analysis of the consultation responses we have decided to implement our proposals for the new review method in substantially the same format that we consulted on.

76 We have made minor changes to the guidance document in response to the feedback we have received as part of this consultation. These amendments are highlighted in this document, and reflected in the revised guidance document that we have published alongside this consultation response.

77 We will implement the EOR method from the 2024-25 academic year. Existing providers subject to the alternative provider methods who are due a review under the new method in the 2024-25 academic year have been contacted ahead of the publication of this document, to discuss the timelines for their review. We intend to schedule as many reviews as possible later in the 2024-25 academic year (most likely from the early part of the 2025 calendar year) to allow providers additional time to prepare. We are also in the process of producing a guidance document that maps the Expectations of the 2018 Quality Code to the Sector-Agreed Principles of the 2024 Quality Code. This document will be designed to support providers as they prepare for their review and will be made available ahead of the start of the 2024-25 academic year.

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