Concerns about standards and quality in higher education

The University of Wales and Finance and Business Training Ltd and the London School of Business and Finance (UK) Ltd, June 2012

Introduction and background

This report is of an investigation into aspects of the former relationship between the University of Wales (the University) and Finance and Business Training Ltd (FBT) and the London School of Business and Finance (LSBF). The integrated organisation comprising FBT and LSBF is described in this report as FBT/LSBF (see Appendix 1); the relationship between the University and FBT/LSBF was terminated in November 2011 and is currently running out. The investigation, which focuses on FBT's Birmingham campus, followed a preliminary enquiry into three formal applications through the Quality Assurance Agency for Higher Education's (QAA's) Concerns about academic standards and quality scheme (two for FBT and one at LSBF) and at least six other complaints regarding courses mainly at FBT's Birmingham campus.

Because FBT/LSBF had a common academic framework overseen by the same Principal and senior academic, the investigation examined whether that shared framework was sufficient to manage academic quality and standards. The primary focus of the investigation was the Birmingham campus formally operated by the legal entity FBT. Representations were received from FBT/LSBF as to the correct attribution of responsibility between the two legal entities LSBF and FBT, and these are set out in Appendix 2. This report does not seek to attribute responsibility within the commonly managed FBT/LSBF organisation.

The full investigation was commissioned by the Chief Executive of QAA under the above-mentioned scheme, and undertaken between January and April 2012. Dr P Cardew and Professor M Davies (the concerns team) conducted the inquiry. The case officer coordinating the investigation was Professor R Harris, Assistant Director.

The reviewers' brief was to examine and report on nine areas of potential concern:

- whether FBT/LSBF advertised and recruited to programmes which it claimed were validated by the University but were not
- whether FBT/LSBF failed to provide programmes to which it had already recruited students
- whether the processes and procedures employed by FBT/LSBF and the University to manage students' learning opportunities are appropriate and adequate given the numbers of students enrolled
- whether FBT/LSBF and the University provide appropriate learning resources for students on University of Wales programmes
- whether the arrangements for marking student work allow students to receive marks in a timely fashion

---

1 The organisational framework is set out in Appendix 1.
• whether the success rate of students on University programmes raises any concerns as to the quality of learning opportunities provided by the University and FBT/LSBF
• whether the approval of the provision in Birmingham was carried out in accordance with the University’s procedures
• how the University and FBT/LSBF have assured themselves as to the qualifications and competencies of teaching staff
• whether FBT/LSBF has operated appropriate arrangements for dealing with complaints.

Findings

Whether: (i) FBT/LSBF advertised and recruited to programmes which it claimed were validated by the University but were not, and (ii) FBT/LSBF failed to provide programmes to which it had already recruited students

1 These concerns turn mainly on a complaint from a student who had been admitted to a non-validated pathway listed on the FBT/LSBF website. The student was initially informed that her fee was not refundable, though a refund was eventually offered on condition that a settlement and release agreement was signed retracting any complaints made or confirming that any complaint had been resolved. The reviewers found (and FBT/LSBF now acknowledges) that the initial refusal to refund the fee was inappropriate. More broadly, the case highlights the fact that students whose interest was exclusively in a particular pathway may have paid for and commenced study on generic modules before a decision was taken about the pathway’s commercial viability. Procedures extant at the time failed to communicate the correct position sufficiently clearly for this to be understood.

2 The concerns team also found inconsistencies in programme nomenclature between the University and FBT/LSBF: of the 27 programmes and pathways declared by the University (and 23 by FBT/LSBF), only 10 titles were common to both. Hence FBT/LSBF, contrary to its claim that no such discrepancies existed, was by definition recruiting to non-validated programmes. Since FBT/LSBF also continued to advertise an unapproved MBA pathway throughout the course of the scrutiny, it follows that it advertised and operated pathways where no formal agreement was in force, and that the University appeared unable to prevent it from doing so.

3 The University also effectively delegated responsibility for admissions to FBT/LSBF, which accordingly processed applications and registered students without validating body scrutiny. This practice reflected the fact that the University’s admissions procedure for postgraduate study was a two-stage one, with matriculation (which it reserved) taking place some time after registration (which it delegated).

Whether: (i) the processes and procedures employed by FBT/LSBF and the University to manage students’ learning opportunities are appropriate and adequate given the numbers of students enrolled, (ii) FBT/LSBF and the University provide appropriate learning resources for students on University of Wales programmes, (iii) the arrangements for marking student work allow students to receive marks in a timely fashion, and (iv) the success rate of students on University programmes raises any concerns as to the quality of learning opportunities provided by the University and FBT/LSBF

4 With four annual entry points, FBT/LSBF registered 650 students on University programmes in the first two years of the collaboration. At one point during this period, the
MBA progression rate fell to 33 per cent of an intake of 149 (this has subsequently improved to 84 per cent), and 54 per cent of students complained, either individually or through group action.

5 The concerns team found that: (i) FBT/LSBF failed to provide the resources, human or learning (library facilities at the Birmingham campus being particularly unsatisfactory), necessary to give all students a realistic chance of success; and that (ii) the University did not enforce a contract clause requiring an annual agreement on maximum numbers.

6 While significant improvements have subsequently been made by FBT/LSBF, in some cases at the University's behest, students informed the concerns team that they continue to have concerns about: the technical and English language competence of some staff, a lack of transparency over bottom-line fees, alleged misinformation over visa working restrictions, confusion over the availability of some pathways, the non-availability of some textbooks, and the limited usefulness of the evaluation and representative systems. They made positive comments about: improvements in welfare and careers support, the role of the student liaison team, and the introduction of consultative bodies such as student forums and staff-student liaison committees.

7 The concerns team confirms that significant improvements in these areas, and indeed in teaching quality, have resulted from FBT/LSBF's enhancement programme. Nevertheless, while FBT/LSBF was found to have crossed the threshold of acceptability, the narrative it consistently presented - that the failures of previous management had been decisively corrected by the current team - understates the nature and extent of the challenges the organisation continues to face.

8 The concerns team found that:

- progression rates and the level of complaints received constitute evidence that FBT/LSBF had recruited more students than its resource base justified
- student numbers placed an intolerable burden on physical and human resources
- in some cases no constructive feedback was given to students, and when feedback was given its quality was inconsistent
- the admissions process (largely devolved to FBT/LSBF) was insufficiently closely managed, and led to the acceptance of many inappropriate students
- failures in communication between the University and FBT/LSBF meant that there were on occasion delays of several months between FBT/LSBF registering students and the University matriculating them; accordingly, since only matriculated students could access online library resources, the students concerned were without a learning resource which would have part-compensated for the inadequacy of the campus library
- for a number of reasons, which are disputed but do not reflect well on either party, unacceptable delays occurred in the marking of some dissertations (an activity reserved by the University)
- in the absence (until academic year 2011-12) of an FBT/LSBF academic calendar, the lack of a clear assessment schedule and the poor planning, which resulted in the suspension or cancellation of some examination boards, also led to some long delays in marks being returned.

Whether the approval of the provision in Birmingham was carried out in accordance with the University’s procedures

9 While senior academic staff of the University acknowledged that they had not seen the validation contract and did not understand its precise terms, the University's increasing
awareness of a problem with FBT/LSBF led to the establishment, in January 2011, of an Interim Review and, subsequently, of a Special Measures Team to monitor and support FBT/LSBF’s academic management processes. The ultimate lack of success of these initiatives led to the termination of the agreement in November 2011.

10 It follows that in areas as significant as admissions, student support, the availability of learning resources and the marking and return of assessed work, the University, in spite of considerable remedial efforts, recognised that with regard to this collaboration it had ultimately failed in the exercise of its authority as a degree-awarding institution. The new Vice-Chancellor did, however, confirm that the University understands and accepts its obligations, current and future, legal and moral, with respect to the oversight of delivery of its awards during the running-out of this collaboration, and committed the University to providing the resources necessary to ensure that any student who so desires will have the opportunity of graduating with a University of Wales degree.

How the University and FBT/LSBF have assured themselves as to the qualifications and competencies of teaching staff

11 It is a contractual requirement that all staff teaching on University programmes are approved in advance; nevertheless, while FBT/LSBF does indeed submit lists of teaching staff to the University in accordance with its obligations, a response from the University is seldom if ever received. Hence, in spite of known past problems with some FBT/LSBF teaching staff, approval is assumed not formalised.

Whether FBT/LSBF has operated appropriate arrangements for dealing with complaints

12 Significant progress has been made by FBT/LSBF, often with the support of the University, since the time when 54 per cent of students were lodging complaints. The current complaints procedure, in force since July 2011, is fit for purpose and clearly communicated. While students made a number of criticisms to the concerns team, the level of formal complaints is now at an acceptable level. This results in good part from FBT/LSBF’s very competent student liaison team addressing concerns as they arise, so reducing the need for them to be formalised.

Conclusions

13 The report has identified a number of weaknesses which are attributable to a range of factors, including, on the part of FBT/LSBF, institutional immaturity and inadequate understanding of the expectations of a higher education provider in the United Kingdom. In the case of the University, it initially failed to recognise these weaknesses and exercise proper oversight of its programmes at FBT/LSBF. As a consequence, all parties bear responsibility for the issues identified in this report.

14 More recently, FBT/LSBF has acted upon the recommendations of the University and put in place measures to strengthen its quality management arrangements. These include securing the standards of awards, enhancing learning opportunities for students, listening to students’ voices, and involving students in quality assurance. In particular, this period has seen the introduction of: a Public Information Policy; the Staff Development Plan; induction; performance review; an academic calendar with delivery and assessment patterns; an updated complaints procedure; a cross-campus Student Association; enhanced careers, counselling and welfare provision; a student liaison infrastructure; a procedure for the systematic collection of student feedback; enhanced
access to electronic learning resources; and improved student representation. Students reported commensurate improvements in their experience.

**Recommendations**

15 The University should:

- strengthen its monitoring of collaborating organisations’ student registration practices
- strengthen its monitoring of collaborating organisations’ websites
- establish and enforce minimum requirements for the provision of library and other learning resources at all collaborating organisations’ campuses
- ensure the continuing suitability of all its collaboration arrangements
- approve, formally and in advance, all staff hired to teach on its programmes, and communicate its decisions clearly and in a timely fashion to the collaborating organisation concerned.

16 FBT/LSBF should:

- ensure that both the provisional nature of programme pathways and full details of bottom-line programme costs are transparently explained, both in all published materials and individually to potential students
- ensure the precise accuracy and consistency of awards and award titles cited on its website and in all other published materials
- strengthen its managerial oversight of admissions procedures.

17 In addition, both the University and FBT/LSBF should:

- within six weeks of the publication of this report, draw up and submit to QAA an action plan to address the issues identified herein.
Appendix 1: Organisational framework

The University of Wales subscribes to QAA. Finance and Business Training Ltd (FBT) and the London School of Business and Finance (UK) Ltd (LSBF) are each subject to educational oversight by QAA. Background information on the structure of the organisation has been provided by FBT/LSBF.

The operations of LSBF and FBT are integrated and they share the same academic and operational control. FBT/LSBF indicated that for historic reasons both LSBF and FBT are registered as Tier 4 sponsors with the UK Border Agency and therefore submitted two applications for educational oversight. The companies share governance, management and quality assurance structures, and relationships with awarding bodies and partner universities are also managed centrally, as well as shared services (including IT and ICT, careers service and student welfare).

Appendix 2: Representations from FBT/LSBF

1 In respect of provision in Birmingham:

a the contract with the University of Wales was entered into by FBT
b the contracts with individual students were entered into by FBT
c the contracts with individual staff were entered into by FBT
d public information (including website, brochures, application forms and so on) was presented to students in the FBT name.

And therefore, insofar as the investigation concerned provision in Birmingham, the correct entity to address is FBT.

2 In respect of online provision, this is provided under the LSBF name. Management systems and resource are also shared across the group.