

Employer-responsive provision survey

A reflective report



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Contents

Executive summary	1
What is employer-responsive provision?	3
Assuring quality and standards in employer-responsive provision: some general considerations	4
The quality assurance of employer-responsive provision	4
The role of the Academic Infrastructure	5
Approaches to applying the <i>Code of practice, Section 2</i> to employer-responsive provision	6
Rigour, risk and responsiveness in the quality assurance of employer-responsive provision	8
Risk and proportionality of quality assurance processes	10
Responsibilities for standards and quality	11
Serial franchising	13
Setting up employer-responsive provision	15
Approval and validation procedures	15
Due diligence enquiries	16
Financial considerations	17
Partnership agreements	18
Conflicts of interest	19
The learner as a partner	19
Admissions	20
Teaching, learning and assessment in employer-responsive provision	21
Responsibilities for teaching and learning	21
Employer involvement	22
Assessment	23
External examining	24
The use of academic credit in employer-responsive provision	27
The level and amount of credit	27
The award of credit/accreditation of in-house training	28
Balancing academic knowledge with professional competence	30
The coherence of the award	31
Subject benchmark statements and other subject level reference points	32
Conclusions	34
Appendices	37

Executive summary

1 Employer engagement is an area of increasing importance to the strategic development of higher education institutions (hereafter referred to as 'institutions'). The skills required of the future workforce and the predicted demographic changes are encouraging institutions to become more flexible in the types of learner they recruit, the range of learning opportunities they make available and the modes of study they offer. There is a growth in the number of learners accessing higher education while being employed and using their workplace as a site of learning. Where provision is developed for and in conjunction with particular employers, this may be termed **employer-responsive provision**. There are many positive aspects to the growth of this activity, but it is recognised that it can be considered as more complex and potentially present different challenges compared to more traditional provision.

2 During spring 2009, the Quality Assurance Agency for Higher Education (QAA) undertook a project through its Institutional and Subject Centre Liaison Schemes to explore the extent and perceptions of employer-responsive provision among institutions in England, Wales and Northern Ireland. The aim of the project was to demonstrate the various approaches institutions are adopting to the quality assurance of such provision, and to inform QAA as to what additional support, information and guidance might be necessary to ensure that both internal and external quality assurance arrangements are appropriate and effective for this kind of provision.

3 The project involved collecting and analysing data from two main sources: semi-structured interviews with institutional representatives involved in the quality assurance and delivery of work-based learning and employer engagement, and similar discussions with relevant staff of the Higher Education Academy's Subject Centre Network (see Appendices, p 37). Sixty institutions and 11 Subject Centres participated in the survey and the project also drew on discussions which took place at a QAA conference hosted in July 2009.¹ The project was informed by the reference points published by QAA to support institutions in the management of quality and standards, collectively known as the Academic Infrastructure.² These consist of:

- *The framework for higher education qualifications in England, Wales and Northern Ireland (FHEQ)*
- *the Code of practice for the assurance of academic quality and standards in higher education (Code of practice)*
- subject benchmark statements
- programme specifications.

4 A number of reports were considered in this project, including a statement published by QAA in July 2008 on 'Quality assurance and the HEFCE priority for higher education learning linked to employer engagement and workforce development' (hereafter referred to as the QAA Statement)³ and a range of publications by other organisations. Through this project, QAA has gained a better understanding of:

- how institutions see their position regarding employer engagement and work-based learning: 20 institutional respondents stated that they had changed their mission statement in order to become more business-facing and responsive to employers
- the range of approaches being adopted by institutions for the quality assurance of work-based learning and employer-responsive provision
- the quality assurance matters faced by institutions with respect to this provision

¹ More details can be found at: www.qaa.ac.uk/events/liaisonconference09.

² Further information about the Academic Infrastructure can be found at: www.qaa.ac.uk/academicinfrastructure.

³ Available at: www.qaa.ac.uk/employers/qaa_statement.pdf.

Employer-responsive provision survey

- the likely need and scope of any future revision of the *Code of practice, Section 2: Collaborative provision and flexible and distributed learning (including e-learning)*.

5 As employers vary considerably in size and in their demands and needs, institutions are of the view that a 'one size fits all' approach to quality management is unlikely to be appropriate. They also consider that processes and procedures should be proportionate to the provision involved. They take a risk-based approach to quality management.

6 While there was a lack of consensus as to the need for further formal guidance from QAA, a number of institutions requested a publication which describes the variety of ways in which institutions are approaching the quality assurance of employer-responsive provision, and how they have used the Academic Infrastructure. This publication is intended, in part, to meet that need. It is presented in the form of a 'reflective report' and is for the most part based on the institutional respondents to the survey. The report also sometimes refers to the views expressed by Subject Centre respondents. Comments from some of the respondents are quoted in this report to illustrate the range of approaches and considerations. References and passages from components of the Academic Infrastructure are also included. The report does not seek to present detailed case studies or to evaluate the effectiveness of particular approaches. It will be shared with a variety of stakeholders, to inform them of the range of quality assurance considerations involved in employer-responsive provision and the variety of approaches adopted by institutions.

7 This report considers the following topics:

- What is employer-responsive provision?
- Assuring quality and standards in employer-responsive provision: some general considerations
- Setting up employer-responsive provision
- Teaching, learning and assessment in employer-responsive provision
- The use of academic credit in employer-responsive provision

What is employer-responsive provision?

8 Higher education providers have been involved for many years in working with employers through research, knowledge transfer, placements and internships, as well as involving employers in the development of curriculum content. This is employer engagement in its widest sense. Such provision, however, involves the delivery of provision tailored to the needs of an individual employer or for an employment sector. It also involves more in-depth work with employers.

9 Employer-responsive provision usually involves a shift away from the traditional models of provision (with or without an industrial placement/clinical practice) to a model where the institution responds to the needs of the employer in a variety of ways. These may include:

- the provision of bespoke or tailored programmes/courses for particular employers or sectors
- the development of (small unit) credit-based learning opportunities
- the accreditation of prior experiential learning (APEL)
- the recognition of in-house training
- learning situated in a workplace or based around a work situation.

Such provision may also feature:

- the involvement of employers in the design and delivery of programmes
- the use of the workplace as a site of learning and assessment
- the involvement of employers in assessment
- the involvement of private educational providers in the delivery and assessment of the learning.

10 As can be seen, there is a variety of provision that may be classed as employer-responsive depending on the institutional definitions applied. Some institutions see all provision involving an employer or private provider in any aspect as employer-responsive provision. Such a definition would therefore encompass more traditional provision, such as programmes with a placement and professionally-accredited programmes with clinical practice, for example medicine, dentistry and nursing. Other institutions have a narrower definition of programmes that they would consider to be responsive to employer needs.

11 This report does not include a taxonomy of models of employer-responsive provision. Respondents were of the view that to do so might be restrictive and discourage institutions from developing more innovative types of provision.

Assuring quality and standards in employer-responsive provision: some general considerations

12 This section deals with the following topics:

- The quality assurance of employer-responsive provision
- The role of the Academic Infrastructure
- Approaches to applying the *Code of practice* to employer-responsive provision
- Rigour, risk and responsiveness in the quality assurance of employer-responsive provision
- Risk and proportionality of quality assurance processes
- Responsibilities for quality and standards
- Serial franchising

The quality assurance of employer-responsive provision

13 Institutions' primary responsibility is for the standards of their awards and the quality of programmes of study. Their internal quality assurance procedures are generally intended to ensure that student learning is designed, approved, delivered, monitored and assessed in line with national expectations, as outlined in the Academic Infrastructure and other regulatory or statutory requirements. The considerations around such procedures are well known for traditional provision, but discussion has been underway for the last few years as to whether quality assurance processes for employer-responsive provision can and/or should be identical to those processes adopted for traditional provision. Respondents to the survey commented that they face some challenges particular to the quality assurance of this type of provision. These include ensuring the commitment of the partners, ensuring that any such provision is of the same standard as traditional provision, and assuring standards of achievement by having oversight of assessment decisions.

14 In 2006, the Higher Education Funding Council for England (HEFCE) published *Towards a strategy for workplace learning*.⁴ This broad-ranging study was commissioned as part of the development of a concerted approach to learning at work. The comprehensive report drew on experiences in the UK, Canada, France, Germany and the Netherlands in order to inform the practices and policies of national bodies, institutions and employers, as they respond to the future needs of learners and workers. In a brief section on quality issues, the report noted that work-based programmes are in principle subject to the same reviews procedures as standard programmes. The report also questioned whether learning in professional practice can be considered as equivalent to formal learning and if new evaluation criteria were necessary to acknowledge the work-based learning while at the same time preserving the integrity of a higher education qualification.

15 These matters were further explored by QAA in the survey referred to in this report. Respondents took the view that employer-responsive provision should not be perceived as being of an inferior standard or lesser value than traditional provision and that the underlying principles of quality assurance processes should be the same for all provision. Respondents commented, however, that the specific details of quality assurance processes may need to be amended for employer-responsive provision and innovative approaches to quality assurance may need to be developed. Some Subject Centre respondents were of the view that quality frameworks for such provision should be as flexible as possible. Changes to institutional quality assurance arrangements might be needed to reflect the specific needs and characteristics of provision of this type.

⁴ Available at: www.hefce.ac.uk/pubs/rdreports/2006/rd09_06/report.htm.

In addition, institutions may need to apply the Academic Infrastructure appropriately for provision that is developed for and/or with the employer.

'It is essential that the QA [quality assurance] of employer-responsive provision is equally rigorous in order to maintain academic standards.'

'Quality assurance policies, processes and systems should be the same across all provision but should be adaptable to scale. The main difficulty is fitting in points at which scale and fitness for purpose can be considered and adapted without a perceived undermining of the whole.'

'As far as possible mainstream quality processes should be used, but quality assurance and certainly quality enhancement of employer-responsive provision needs to focus much more upon the context and purposes of work than traditional programmes whilst maintaining the same academic standards.'

'...employers turn to universities for programmes because of the prestige and quality that a university can offer. This quality must not be jeopardised by inappropriately light QA processes. However, there are challenges to applying standard QA processes in slightly different environments, and to the speed of turnaround that is sometimes necessary.'

'Any frameworks which are established need to be flexible so that they can meet the individual needs of employers but remain cost effective for the HEI.'

The role of the Academic Infrastructure

16 Respondents to the survey considered that the Academic Infrastructure had not been developed with the flexible arrangements needed for the quality assurance of employer-responsive provision.

17 Research was carried out in 2007-8 on behalf of a HEFCE and QAA Quality Assurance Task Group into approaches to the development of employer-responsive provision, and potential barriers to it. The report concluded that the quality assurance reference tools such as the Academic Infrastructure and the processes currently in place for the higher education sector are largely sufficient to deal with the current challenges of the employer engagement agenda.

18 In the current survey, all the elements of the Academic Infrastructure were considered to be helpful in informing institutions' policies and practices in relation to the quality assurance of employer-responsive provision. Institutions were in broad agreement that, typically, they use all such elements to support the management of academic quality in this area. However, there were some variations between respondents in the perceived usefulness of particular reference points.

19 Sixteen of the 57 institutions that responded considered the Academic Infrastructure to be fully supportive of employer-responsive provision, and that it is possible to interpret it to suit different situations. In some cases, respondents indicated that they considered that components of the Academic Infrastructure were not fully supportive but were generally fit for purpose and helpful for the quality assurance of employer-responsive provision.

'The *Code* does put limits on the ways in which institutions can engage with employers, but that is not unhelpful. The *Code* encourages good practice in this area.'

'The reference tools are not restrictive, but general enough to be enabling.'

20 These positive views, however, were not shared by all respondents. Twenty-five of the respondents identified the QAA reference tools as being only partially supportive, suggesting that there are some areas where application of the Academic Infrastructure presents challenges in employer-responsive provision. Some respondents felt that the *Code of practice*, in particular,

does not currently allow for the variety of relationships and types of provision that may exist in a comprehensive approach to employer engagement. Furthermore, some respondents noted that particular sections of the *Code of practice* may still be focused on full-time students undertaking placements, rather than on the range of practice that is currently available, such as off-campus learning in the workplace for those in employment; the development of flexible delivery and assessment tools; small units of stand-alone credit-bearing learning which may be aggregated into an award; and the accreditation by an institution of an employer's in-house training.

'Some elements of the *Code of practice* have shown to be barriers to development and delivery of such provision (external examiners, approval and review, assessment).'

'The Academic Infrastructure tends to assume that three-year full-time, on-campus provision is the norm. For some institutions this type of provision may become the exception rather than the rule. As the AI is revised, it would be good to reflect this.'

'Section 2 of the *Code* doesn't really address collaboration and partnerships with employers.'

'The *Code of practice* is genuinely helpful. It is a collection of good practice, not regulations, but also representing good sense.'

21 The application of the *Code of practice* to employer-responsive provision is discussed below. Other elements of the Academic Infrastructure were found to be helpful in general terms, although some respondents noted limitations in their usefulness for this provision. The use of programme specifications, the FHEQ, and subject benchmark statements is discussed later on in this report.

Approaches to applying the *Code of practice*, Section 2 to employer-responsive provision

22 Respondents to the survey generally took the view that the *Code of practice* can be applied to the management of standards and quality in employer-responsive provision. However, some respondents also reported that the *Code of practice*, Section 2: *Collaborative provision and flexible and distributed learning (including e-learning)* could be more helpful in terms of work-based learning and employer engagement, and that there is a need to review both this section and the *Code of practice*, Section 9: *Work-based and placement learning*. QAA is currently reviewing Section 2 for its continuing appropriateness for this and other areas of provision.

'...the main problem seems to be with Section 2 of the *Code* as it is not clear when the arrangement is a collaborative arrangement. It depends on who delivers, what is delivered, where it is delivered and the method used.'

23 Paragraph 13 of the *Code of practice*, Section 2 sets out what QAA will include in the scope of an audit of collaborative provision. Employer-responsive provision falls within this definition.

Collaborative provision denotes educational provision leading to an award, or to specific credit toward an award, of an awarding institution delivered and/or supported and/or assessed through an arrangement with a partner organisation. (Section 2, paragraph 13)

24 However, respondents noted that the *Code of practice*, Section 2 was written predominantly for collaborative provision between education providers and not with engagement with employers or private providers in mind. It was also noted that institution and employer/training provider partnerships are often very different from partnerships between educational providers such as higher education institutions and further education colleges.

'Section 2 of the *Code* only refers to one model of collaborative provision; that of master-servant and this is not necessarily the prevalent model any longer. The term "collaborative provision" may not be the most appropriate any more. Section 9 of the *Code* could be updated.'

25 How the precepts in the *Code of practice, Section 2* are used depends, of course, on the exact nature of the relationship and the learning in question. One particular application of the Academic Infrastructure may not suit all purposes. While Sections 2 and 9 of the *Code of practice* can be taken as a starting point for consideration, flexibility may be needed in their application. Notions of partnership and collaboration may be different for employer-responsive provision, as in these relationships the collaborative provision generally involves another partner (a private training provider, an employer) delivering a curriculum. Arrangements for employer-responsive provision might include:

- an employer providing the workplace as a site of learning, with the institution responsible for the delivery of learning and assessment
- a learner/employer negotiated curriculum and assessment
- an employer/training provider involved in delivery and assessment
- a consortium of educational providers accepting each other's credit
- an institution that is involved in an arrangement involving more than one partner, and where the institution is not 'one step removed' from delivery
- a flexible, distance-learning arrangement where the learner never visits the institution and all delivery and assessment is in the workplace
- the accreditation of in-house training.

'...the *Code* gives best practice. It does not restrict and helps to safeguard [the institution's] reputation, we can probe what is acceptable and what isn't.'

'...clarity from QAA that the full weight of the *Code* relating to collaborative provision is not uniformly applicable to negotiated work-based learning programmes.'

26 Respondents also commented on the need to recognise that the institution may not necessarily be the senior partner in a partnership arrangement with an employer or another educational partner (for example a private provider) as there are many situations where an institution may be tendering for a contract. However, this would not remove the institution's formal responsibility for its awards, as noted in the *Code of practice, Section 2*, paragraph 17.

...it is important to recognise that the formal responsibility of an awarding body for its awards and qualifications places upon it an obligation to make certain that its academic standards are secure. This does suggest a conscious formality in some aspects of the management of a collaborative relationship, which may sometimes seem to run counter to the notion of the equality of the partners. But the formality offers protection to all, students as well as collaborating organisations, and its adoption in this spirit should help to bolster, not undermine, mutual confidence in the operation of partnerships.
(Section 2, paragraph 17)

'There has been a significant shift in the nature of the relationships with employers, the University is no longer the senior partner in the arrangement, it is an equal partnership.'

27 While the *Code of practice, Section 2* does not refer directly to the rich variety of partnerships with employers, respondents were of the view that the principles for managing standards and quality are still relevant for these arrangements and can be interpreted to ensure standards and

quality are maintained. Respondents to the survey emphasised that the broadest possible interpretations of partnership should be recognised and supported by appropriate agreements between all involved.

Rigour, risk and responsiveness in the quality assurance of employer-responsive provision

28 Institutions were unequivocal in their view that all academic awards made by them should be subject to a comparable level and rigour of scrutiny. They were keen to emphasise that anything less could jeopardise academic standards. However, most respondents to the survey recognised that while the principles underlying the quality assurance of employer-responsive provision were likely to be the same as for traditional provision, the detail of processes may need to be modified (for example in providing more rapid approval processes). Two differentiating characteristics of such provision were frequently noted:

- responsiveness - the need to ensure that quality assurance processes work to timescales acceptable to employers
- proportionality - the need to ensure that effort is commensurate with the complexity of the provision concerned and the risks which it may present.

'Timely response is a challenge, given time taken to design and validate new programmes. Employers often have traditional views of universities (a traditional view of the types of students and types of academic programmes offered), and have expectations about what they want the HEI to provide.'

29 A number of respondents noted that a focus on responsiveness could introduce an element of risk.

'...responsiveness (in terms of approval of provision, award of credit); recognition of the scale of provision (often small amounts of credit, as opposed to whole programmes of study).'

'The process should have the same rigour, but arriving at this state by different means. The whole system has to be sufficiently flexible in order to meet employer and institutional needs. Quality assurance has to meet the complexity and flexibility of: a) negotiated learning - the timing of delivery, start and end dates etc; b) negotiated provision with the employer and the learner.'

'...the challenge of balancing appropriate oversight with the speed of responsiveness employers want.'

30 In making decisions about the quality assurance processes to be applied to employer-responsive provision, many institutions described the use of a 'risk-based approach'. Such approaches involve the institution conducting an assessment of the potential risks involved in such provision and then devising and applying quality assurance processes to mitigate these risks that are proportional to the volume of learning being validated, delivered and awarded. These processes may be equivalent to traditional processes in terms of robustness and rigour but different in terms of their design and application.

'All quality assurance procedures should be related to risk and it should be left to institutions to decide whether they need a heavier or lighter system in this area based on their assessment of the level of risk involved.'

'The Academic Infrastructure sets clear and helpful parameters against which HEIs construct their QA processes but can encourage risk adversity in considering more flexible and responsive processes for responding to employer need.'

'There are different risks rather than more risks, and they are risks which are less easy to manage.'

'...[the QA procedures] need to respond much more rapidly than is usually allowed by the traditional committee decision-making structure, yet need to contain an element of risk assessment as this is slightly higher-risk provision.'

31 The areas of risk to institutions most relevant to this report are those that concern the ability of the institution to have oversight of the academic quality and standards of its provision, and its ability to ensure that the learning opportunities provided are sufficient/appropriate to allow students to demonstrate the achievement of their intended learning outcomes.

32 A range of risks associated with greater employer involvement in provision were identified in the research conducted by SQW Consulting⁵ on behalf of the HEFCE/QAA Task Group. Many respondents to this survey also identified these risks.

- Reputational risk - the risk to an institution's reputation if any aspect of employer-responsive provision is not of an appropriate standard and/or quality.
- Financial risk - the costs of setting up and maintaining the provision. The possibility that the partner may pull out of the agreement, potentially leaving the learner vulnerable (and leaving the institution to cover the costs of continuing the provision?).
- The risk to academic standards - the risk to the oversight of academic standards posed if there are multiple partners. Despite the institution maintaining responsibility for the assessment decisions it may be more than 'one step' removed from the delivery and assessment.
- The risk to academic culture - in situations where the partners are not necessarily educational providers they may not understand the implications of academic quality and standards.
- The risk to academic quality - the risks posed to students if the workplace is not fit for purpose or available as a site of learning, or suitable for demonstrating achievement of the learning outcomes.

'The main risk is not to academic standards, where the normal quality monitoring procedures operate, but the risk is around the financial volatility of working in the commercial environment. When considering involvement with an employer the institution expects to break-even within the first three years and if this is not possible the partnership would not proceed.'

'The distance of the learning from the institution carries additional risk, as does the involvement of employers. Also, content is often distant from traditional subject areas and traditional academic study.'

'Operating off-site and in an environment where the structures supporting "on-campus" students are not so readily available is inherently more risky and it takes time to embed processes, but that is not a reason not to do it.'

33 Respondents to the survey noted that the risks identified above could in part be managed through:

- the use of legally binding contracts
- the development of core/shell modules which contain generic learning outcomes
- the provision of a standard offering that can be 'tweaked' to suit the needs of different organisations.

⁵ *Quality, Risk and Regulation: Collaborative Provision and Employer Engagement in Higher Education*, available at: www.sqw.co.uk/publications.

'...avoid large number of bespoke programmes for individual employers and establish generic qualifications and programmes into which a number of models can fit.'

'They have introduced a new formal partner risk assessment for partnership agreements.'

34 Institutions recognise that in employer-responsive provision there may be multiple partnerships and that the link between themselves and the provider/assessor of the learning may not necessarily be a direct relationship but may operate through a third party. This may present risks in assuring standards and quality and could be considered to be serial franchising (see paragraphs 45-47) if the awarding institution does not maintain oversight of the quality of the provision and the assessment decisions. Respondents to the survey noted that they are minimising these risks by:

- ensuring that they have a direct relationship with the partner conducting assessment
- maintaining direct oversight of all assessment decisions
- ensuring that the partner or partners have a full understanding of the importance of maintaining quality and standards.

'Section 2 of the *Code of practice* [is a challenge]. The definition of collaboration may be interpreted as all partners. This may be confusing when employers are involved in assessment. What is the status of third parties and how should it be quality assured?'

Risk and proportionality of quality assurance processes

35 Taking a proportional approach to risk and quality assurance raises the question of the appropriate 'weight' of quality assurance to be applied to employer-responsive provision. One consideration might be the amount of learning involved. This is often expressed in terms of academic credit. Clearly, an honours degree has a greater amount of learning than a 10-credit module but questions about whether a 10-credit module should have the same weight of quality assurance as an honours degree or whether a 10-credit module is included in the scope of any audit of the institution have been asked by institutions. The *Code of practice*, Section 2, paragraph 14 anticipates such questions.

The inclusion in these definitions of 'specific credit toward an 'award' has raised questions of the type 'how much specific credit is needed before this code is applied' to a particular collaborative or FDL arrangement. Such questions are for an institution itself to answer by using this section of the *Code* as a reference point against which to consider and test its own arrangements. There are no boundaries to the applicability of a particular section of the *Code*. Instead, the Agency wishes to emphasise that the *Code* as a whole should be regarded as a reference to widely agreed approaches to good practice in the relevant areas, not as a document specifying required compliance by institutions. What is important is that institutions should carefully consider whether and how a precept should be applied in their own particular circumstances, bearing in mind the explanation of the precept given in the *Code*. It is equally important that the precepts should then be used in a way that can provide the institution with justified confidence in the effectiveness of its management of the quality of its provision and the security of its academic standards. (Section 2, paragraph 14)

'...[we have] developed a proportional process for the approval of short courses delivered through partnership arrangements.'

'...[we have introduced] a more flexible and proportionate approach to the quality assurance processes for "non standard" provision.'

'...the sheer diversity of employer-responsive provision - one size does not fit all; the need for proportionate processes which recognise different levels of risk.'

36 Institutions also identified other considerations in deciding the weight of quality assurance procedures to be applied in relation to risk, including:

- the volume of the provision (in terms of student numbers)
- the extent to which the partner or partnership is new or established
- who is involved in delivery and assessment, and at what stage?
- how far removed from the institution, in geographical terms, is the provision?
- the extent to which those involved have a clear understanding of higher education delivery and assessment in terms of content and level.

'The need for a risk-based approach to quality management which would, for example, recognise that the QA processes associated with the approval of a five-credit free-standing short course need to be appropriate, and enable an HEI to respond quickly to employer demand.'

37 A number of respondents to the survey noted that the need to manage risks meant that oversight of this area needed to be maintained by the senior deliberative committees with responsibility for quality and standards. This is referred to in the *Code of practice, Section 7: Programme design, approval, monitoring and review*, precept 2. Respondents also referred to the need for senior managers within the institution to be involved.

Institutions ensure that the overriding responsibility of the academic authority (eg senate or academic board) to set, maintain and assure standards is respected and that any delegation of power by the academic authority to approve or review programmes is properly defined and exercised. (Section 7, precept 2)

Responsibilities for standards and quality

38 Employer-responsive provision involves a range of quality assurance considerations relating to:

- the types of partnerships and the corresponding forms of agreements required
- the setting and maintaining of academic standards
- the quality of the learning opportunities provided to students
- the involvement of employers and learners in the design, delivery and assessment of learning.

39 These matters can be managed much more easily when they are under the direct control of an institution, but when the provision is off-campus (perhaps at a site of employment or delivered through a private provider) institutions may need to reflect particularly carefully on such learning, and this may result in approaches to quality assurance that are different to those applied to on-campus provision. Respondents commented that such approaches tend to work more effectively when determined and designed by the institution in conjunction with the employer, in order to fit particular circumstances, rather than having to fit a predetermined specific model of activity.

Academic standards

40 The starting point for all sections of the *Code of practice* is a clear specification of the responsibility of the institution for the academic standards of awards made in its name, wherever and however delivered. This responsibility cannot be delegated. Respondents to the survey were clear that the assurance of standards of provision, wherever and however achieved, is paramount and is the responsibility of the awarding institution.

The quality of learning opportunities

41 In employer-responsive provision there are frequently situations where the institution does not have direct control over the learning environment or over teaching and learning. This is the case, for example, in:

- the accreditation of in-house training
- arrangements with a further education college that contracts another learning provider to deliver the learning but where the awarding institution is ultimately responsible for the assessment decisions
- the acceptance of credit by one institution from another as in a consortium or lifelong learning network
- a flexible learning programme delivered in the workplace.

42 Respondents to the survey recognised that institutions have the ultimate responsibility for the quality of the learning opportunities and for ensuring that the learning environment is suitable to demonstrate achievement of the intended learning outcomes. This emphasis on appropriateness was thought to be more achievable than notions of comparability or equivalence of experience, given the wide variety of partnerships, and the differences between employer-responsive and more traditional provision. It is also consistent with the advice of the *Code of practice, Section 7* in which precept 6 notes the need for institutions to consider the appropriateness of learning opportunities when making approval decisions.

Institutions ensure that programme approval decisions are informed by full consideration of academic standards and of the appropriateness of the learning opportunities which will be offered to students, and that:

- the final decision to approve a programme is taken by the academic authority, or a body acting on its behalf that is independent of the academic department, or other unit that offers the programme, and has access to any necessary specialist advice
- there is a confirmation process, which demonstrates that a programme has fulfilled any conditions set out during the approval process and that due consideration has been given to any recommendations. (Section 7, precept 6)

'Equivalence of experience...it is true that this becomes an increasing challenge the further one gets from coherent pre-planned programmes of study. It is important that there are ground rules.'

'There are some tensions regarding how auditors view/consider the different resources that are provided in the workplace situations. They sometimes do not accept that it is not possible to have exactly the same resource, not exactly the same experience. It should really be about fitness for purpose and outputs.'

43 This emphasis on the appropriateness of the learning opportunities is further discussed in the *Code of practice, Section 2*, precept A12. The inclusion of 'ultimately' acknowledges that, in the case of collaborative provision, the awarding institution may not be best placed to exercise direct control over the quality of learning opportunities. This same principle applies to all provision not delivered directly by the institution itself, as may be the case in employer-responsive provision. Any agreements between all partners involved should clearly set out the responsibilities of the partners and to enable the institution to manage its risks.

The awarding institution is ultimately responsible for ensuring that the quality of learning opportunities offered through a collaborative arrangement is adequate to enable a student to achieve the academic standard required for its award. This applies equally to learning opportunities offered through FDL arrangements. (Section 2, precept A12)

'...[the training provider] goes directly to employers to deliver training so a traditional periodic review of learning resources would not take place. We work with them [the training provider] to identify what an appropriate learning environment is and what materials are required to appropriately support the student learning experience.'

44 Respondents expressed satisfaction with institutional procedures for assessing the quality of learning opportunities at approval but had concerns about the institutions' ability to assure the quality throughout delivery. Such concerns are not confined to employer-responsive provision but also apply to other forms of learning conducted 'off-campus' - for example, sandwich placements and overseas collaborative provision. Monitoring procedures designed to mitigate these risks include:

- mechanisms for the partners to report on the provision, and for learners to provide feedback
- on-site visits by the institution or a partner who reports to the institution
- the use of external examiners' reports in drawing attention to strengths or weaknesses at the site of learning and/or in the delivery of the learning.

'In addition, institutions have in place procedures to be implemented to protect the learner when there is a failure in any aspect of the provision in line with the advice given in Sections 2 and 9 of the *Code of practice*.'

'There are a number of precepts in Section 2 of the *Code of practice* which clash with what is needed in practice, for example the University does not and cannot always control the learning environment, therefore location visits take on a new meaning.'

Serial franchising

45 The *Code of practice: Section 2*, paragraph 20 defines serial franchising as an arrangement in which an awarding institution enters into a collaborative arrangement with a partner organisation who, in turn, uses that arrangement as a basis for establishing collaborations of its own with third parties, but offering the awarding institution's awards. This paragraph goes on to advise strongly against such arrangements but recommends, in cases where an awarding institution does delegate, that it should maintain responsibility for the outcomes of assessment and that all partners understand and follow the requirements set out by the institution.

The Agency's experience in audits of collaborative provision leads it to believe that the safeguards [to Academic standards]...cannot be fully provided through serial arrangements that limit the awarding institution's ability to control the academic standards and quality of the provision which leads to its awards. If it is to discharge its awarding responsibility properly, and to be in a position to manage potential risk, an awarding institution should have an effective link...to the assessment of the academic achievement of students on all programmes that lead to its awards. While this responsibility may be readily manageable through a direct relationship with a partner organisation, it becomes much more difficult once the chain of responsibility is extended. Serial arrangements can seriously jeopardise an awarding institution's ability to know what is being done in its name.
(Section 2, paragraph 20)

46 The interpretation of this advice has become well understood in the context of 'traditional' collaborative provision where the relationship is usually between an institution and another higher education institution or further education college. It may be less well understood by employers or private providers who may not be familiar with the responsibilities of the institution and may then devolve aspects of the learning to another party. This may have the effect of increasing the distance between the institution and the point of delivery and assessment.

'The *Code of practice* is genuinely helpful. The only area with which [the institution] might have some questions is around serial franchising; exactly how it is defined.'

47 Institutions can and do devolve the learning opportunities to partners, including assessment, but they recognise their responsibilities for standards and therefore have oversight of all summative assessment decisions

Setting up employer-responsive provision

48 This section deals with the following topics:

- Approval and validation procedures
- Due diligence enquiries
- Financial considerations
- Partnership agreements
- Conflicts of interest
- The learner as a partner
- Admissions

Approval and validation procedures

49 Employers often want provision to be designed and approved to timescales that are considerably shorter than those to which institutions are accustomed. Employers may not appreciate the reasons why approval processes are conducted over an extended period. Although they undoubtedly have a reasonable understanding of the need for quality assurance processes to be applied - indeed, this is often why they want to work with an institution - they are perhaps less likely to appreciate the fine detail of approval processes. Respondents to the survey noted the benefits of taking time to explain to employers how approval processes work and the key considerations for the institution in approving provision.

'...try to ensure our processes are sufficiently flexible to deal with any provision, but often this involves developing existing processes and/or adapting to ensure "fitness for practice" - especially the case as collaboration involves private training providers and/or employers and/or FECs. Moves are underway to increase flexibility in this regard, whilst maintaining a manageable and consistent approach overall.'

'Achieving an appropriate balance between employer requirements and the quality assurance of this provision.'

'To an extent there is a clash of cultures; HEIs have to get things properly approved; employers' priorities are the bottom line (just get it approved) - the expectations of HEIs in relation to QA are not clearly understood by employers.'

50 This does not mean to say, however, that employers are likely to accept long drawn-out quality assurance procedures, particularly for small-scale provision. Subject Centre staff frequently commented on the need for programme approval processes that provided a timely response to employers. This is where an institution's analysis of the risks posed by the provision is likely to be crucial.

'The main differences are in the development processes. The approval process to approve an affiliate partner has been reduced from six months to four/six weeks and is risk based, where a lighter touch is used for existing partners and more in-depth scrutiny for a new partner. Processes are more flexible and negotiable for employer-responsive provision. Once the approval processes for the partner and the credit have taken place, the normal approval/review processes are implemented.'

'Employers often do not understand the University planning and validation cycle, but are able to deal with it when they have had it explained to them.'

'There then needs to be effective and efficient QAA mechanisms within the HEI which allows the timely validation of additions to the Framework.'

51 The *Code of practice* does not stipulate the recommended duration of an approval process and institutions are free to decide what is appropriate for their needs. Respondents reported that existing approvals procedures are often suitably flexible and identified various ways in which approvals processes could be adapted to make them more responsive, including:

- the development and approval of 'shell' frameworks and/or generic learning outcomes (these are discussed in paragraphs 107 and 108)
- revisions to APEL guidance and policy
- the consideration/use of formal contracts with employers
- the deployment of external examiners
- the adoption of risk-based approaches to the approval of employer-responsive provision
- the formation of new committees that can meet at short notice to conduct approval and validations
- the alteration of academic and distance-learning frameworks to facilitate flexible modes of study and assessment.

52 Several respondents to the survey noted that approval processes for 'traditional' provision can be extended by the need to undertake market research and to promote the award/ programme. These considerations may not apply to provision that is developed with and for specific employers. The need for external input (as noted in the *Code of practice*, Section 7, precept 3) into approvals may also be a source of delay.

Institutions make use of external participation at key stages for the approval and review of programmes, as independence and objectivity are essential to provide confidence that the standards and quality of the programmes are appropriate. (Section 7, precept 3)

53 Some respondents noted that the modification of approvals processes for employer-responsive provision may require a commitment by the institution, starting with senior committees, both to re-examine such processes and to align resources appropriately.

'The need for cultural change of academic and admin staff to be truly responsive.'

'The College will be reviewing its approach to academic management of and quality assurance of employer-responsive provision as we engage more deeply with this, and begin to offer more flexible and bite-sized HE learning.'

'A cultural shift is still needed however with the practical, pragmatic systems that support this type of learning. The day-to-day administrative record keeping, as an example, still reflects the traditional learning model and internal infrastructures need to adapt and evolve to reflect the variety of needs and circumstances imposed upon them by employer-led provision.'

Due diligence enquiries

54 It is not in the interest of any institution to enter into a relationship with an organisation that could bring the institution into disrepute. The *Code of practice*, Section 2, precept 9 advises institutions to carry out a range of enquiries to provide assurance of the 'good standing of a prospective partner' and of their capacity to fulfil their designated role in the partnership.

An awarding institution should undertake, with due diligence, an investigation to satisfy itself about the good standing of a prospective partner or agent, and of their capacity to fulfil their designated role in the arrangement. This investigation should include the legal status of the prospective partner or agent, and its capacity in law to contract with the awarding institution. (Section 2, precept 9)

'The practical aspects of risk are difficult to manage: it is very difficult to mitigate the funding risks. Even thorough due diligence approaches will not always reveal vulnerability of employers.'

55 Respondents to the survey identified some difficulties to be faced when carrying out these activities in respect of employer-responsive provision, particularly when the provision in question is small in scale. Difficulties identified included:

- deciding at what point in the negotiations with an employer the due diligence enquiries should be conducted
- deciding on how much due diligence activity is required when the provision relates to only a small part of the partner's business (for example in providing training for a relatively small number of employees of an international company)
- deciding how much information to provide to the employer when the institution is engaging in a competitive tender
- convincing partners of the need for a formal approval and validation event when the institution has taken part in a competitive tender for the provision.

'Applying Part A of Section 2 of the *Code of practice* can be challenging. For example...in a competitive tender process the partner [the employer] needs a significant amount of detail about the university before awarding the tender, but at what point does the university undertake its due diligence?'

56 These considerations illustrate the difficulty of identifying the appropriate process of due diligence and the timing of the process. In deciding the most appropriate way of protecting the interests of both the institution and the partner, some respondents noted that it is important for each partner to understand the responsibilities and needs of the other before a formal agreement is made.

Financial considerations

57 A number of respondents expressed concern about the viability and sustainability of provision involving employers or private providers. The *Code of practice, Section 2*, precepts A6 and A7 advise that an institution ensures that financial aspects of planned partnerships are given full consideration to safeguard standards and quality.

The awarding institution's policies and procedures should ensure that there are adequate safeguards against financial or other temptations that might compromise academic standards or the quality of learning opportunities. (Section 2, precept A6)

Collaborative arrangements should be fully costed and should be accounted for accurately and fully. This applies equally to FDL arrangements. (Section 2, precept A7)

'However, provision must be financially viable. Sometimes it seems that financial viability is not properly taken into account when professional bodies up their requirements.'

58 Financial considerations were identified by respondents to the survey as an important aspect of managing the relationship between institutions and employers. Such considerations generally

related to the risks posed to students' learning opportunities, and the financial risks to the institution by employer-responsive provision. Considerations included:

- in the event that an institution decides to withdraw from a partnership with a private provider, there will be a need to protect the interests of students who are still on the programme or unit of study
- a risk of force majeure/bankruptcy - protection of the student
- a risk of a partner pulling out of an arrangement before a break-even point has been reached leaving the institution with the cost of the provision and compromising the learner's experience
- the length of time and costs it takes to set up and close down such partnerships.

Partnership agreements

59 The *Code of practice, Section 2*, precept A10 advises on the need for contractual arrangements to regulate partnerships.

There should be a written and legally binding agreement or contract setting out the rights and obligations of the parties and signed by the authorised representatives of the awarding institution and the partner organisation or agent. (Section 2, precept A10)

'...in-depth investigations are carried out into employer's needs and demands before contracts are agreed and we are selective over who we decide to go into partnership with. Where risks are classified as being high but the partnership proceeds, these are mitigated through more stringent monitoring.'

60 Institutions often capture the considerations noted in the previous section in negotiated partnership agreements that set out the responsibilities of each party. Increasingly these are legally binding written agreements that stipulate the responsibilities of all partners involved in employer-responsive provision.

'All work is contractually based and exit strategies are clearly defined and understood.'

'Quality assurance arrangements are related to the University's typology of "partnership" arrangements, which in turn determine the type of agreement (partnership agreement or service-level agreement). Third-party delivery is regarded as serial, so is not allowed.'

61 Respondents to the survey described a variety of contractual arrangements. For example, one institution uses five-year, legally-binding contracts with their partners, another has workforce development contracts, which limit the institution's liability if the employer withdraws from the agreement. While respondents recognised the value and importance of agreements, they sometimes questioned their feasibility or cost-effectiveness in relation to provision bearing very small units of academic credit. This consideration is likely to be one of the risk factors used in deciding the 'weight' of quality assurance processes to be applied to such provision.

'...[we have] developed a new template contract for employer partnerships.'

'...establishing a workforce development contract for sue between the University and employer, limiting the University's liability if the employer pulls out. This is also set out in the contract with the student.'

Conflicts of interest

62 Beyond contractual arrangements, respondents noted that conflicts of interest can arise in employer-responsive provision, and a number of examples were cited. These included:

- the employer acting as a mentor and helping the learner too much
- the learner having a dispute with the employer
- the employee wanting career advice from the awarding body in order to leave the employment
- the employer expecting the mentor (who is also an employee) to award high marks to any assessment.

63 Such conflicts are not confined to employer-responsive provision and can occur in any situation where the learner is in the workplace, for example on placements or in clinical practice. Respondents noted the need to have policies in place so that if any conflicts of interest arise they can be handled fairly and impartially.

'The challenge is where assessment or personal development planning involves the employer who is also the line manager. In these cases the University has to discuss the issues in detail with the individual employer to ensure fairness and rigour.'

The learner as a partner

64 This report has used the term 'partner' generally in relation to employers and other educational providers. In employer-responsive provision, however, learners may also be considered to be partners, for example:

- a learner in the employment of the organisation that is contracting the learning from an institution
- a learner who is undertaking learning using their workplace as a site of learning but the employer is not a partner
- a learner who is also the employer - as is often the case in sole trader organisations.

'Care needs to be taken when using "employer" as many of the students wishing to engage in this type of work-centred provision may be self-employed.'

65 The fact that a learner can be seen as a partner means that it is important that the institution makes its own responsibilities clear to the learner as well as to the employer and ensures that the learner understands these responsibilities. This has encouraged institutions to reconsider their responsibilities to the learner in a range of circumstances, including:

- where the learner is redeployed to another site
- where the learner/employee has been dismissed
- where the learner is also the employer and the workplace is not available for work-based learning.

66 These considerations are not entirely new and have been encountered in many sandwich placement schemes and professional training activities. However, in those schemes the contract is primarily with the learner. In the provision under consideration here, the contract may be primarily with the learner's employer.

67 Respondents to the survey commented on the need to consider the potential for different situations (as in the examples given in paragraph 65) and, as far as possible, capture them in written agreements so that all partners are clear about how particular situations or eventualities will be managed. This is referred to in the *Code of practice, Section 9*, precept 4:

Awarding institutions inform students of their specific responsibilities and entitlements relating to their work-based and placement learning. (Section 9, precept 4)

'It is important that it is clear to students what they're getting and where it might lead. There doesn't necessarily need to be e.g. an honours level programme directly related to a Foundation Degree at the outset, as long as students know that. Employers often want to start small and only subsequently realise that there is potential for a larger scheme with inbuilt progression.'

68 As employer-responsive provision often involves smaller amounts of learning rather than whole programmes, respondents sometimes noted that often programme specifications were not suitable. A general view was evident, however, that learners/employers have access to appropriate information such as the intended learning outcomes and the teaching, learning and assessment strategy associated with a particular element of provision. Such information can also include an explanation of the contribution that the unit can make to the achievement of a full award as well as about the progression requirements for relevant named awards.

'Programme specifications. No attempt to operate programme specs at an individual level. The number of permutations would make this burdensome and would outweigh the benefits.'

Admissions

69 The admissions procedures for traditional programmes/awards are covered by the *Code of practice, Section 10: Admissions to higher education*. Admissions procedures are also referred to in the *Code of practice, Section 2*. However, the responsibility for admissions decisions in employer-responsive provision is sometimes complex, as the employer may be paying for the learning and/or accreditation and may wish to determine individual suitability to take part in the learning.

'...managers putting delegates forward who are not suitably qualified when they are in the driving seat. The university needs to be able to refuse, needs to have criteria.'

'...the employer's selection of candidates, who may not always have the appropriate qualifications for entry to the programme.'

70 It is the institution that has ultimate responsibility for acceptance onto any award/learning in their name. The *Code of practice, Section 10*, precept 2 recognises that partner organisations can be involved in making admissions decisions, as long as they have the appropriate skills, but the institution has a responsibility to ensure that employers are aware of the institution's policies and procedures and the criteria for admission to their institution.

71 Respondents to the survey noted the importance of a mutual understanding between the employer and the institution in the matter of admissions, especially in relation to the need for the institution's criteria to be followed, so that those selected for the learning have the potential to achieve the intended learning outcomes.

Teaching, learning and assessment in employer-responsive provision

72 This section deals with the following topics:

- Responsibilities for teaching and learning
- Employer involvement
- Assessment
- External examining

Responsibilities for teaching and learning

73 Distance and e-learning are common features of higher education delivery and are supported by the precepts in Part B of the *Code of practice, Section 2*. One of the features in employer-responsive provision is that, in addition to the use of these flexible modes of delivery, the site of learning and assessment is often the workplace and the employer and learner often contribute to the development and the delivery of teaching, learning and assessment. As noted previously, these considerations are often set out in a learning agreement.

74 Respondents to the survey noted that it is important that the employer and the employee understand any elements of such a negotiated learning agreement that the institution regards as non-negotiable. These include the level of the award/provision, the standard of achievement required, the requirements of relevant professional, statutory or regulatory bodies, and recognition of the institution's final (academic) judgement on elements such as admissions and the learning that can be awarded credit.

75 Institutions can, however, delegate the management of learning opportunities to a partner, as long as the partner has the capacity to undertake that management. This is stated in the *Code of practice, Section 9, paragraph 22*. In these cases, however, the institution still has the responsibility to ensure that the learning environment is fit for purpose both at the outset and throughout the arrangement. In partnerships with another learning provider, such as a further education college, the partner may have considerable experience in managing devolved responsibilities. The provision may also be scrutinised by QAA through its Integrated Quality and Enhancement Review (IQER) process. However, in situations where a private training provider and/or employer is the partner, it may be thought that there is a potentially higher risk in devolving such activities due to the partner's lack of experience in managing higher education provision. This is considered in the QAA Statement which was published in July 2008.⁶ In all situations it is important that the institution has strategies in place to ensure that it has oversight of the continued appropriateness of the learning opportunities and can take action swiftly, if necessary, to protect the interests of learners.

Higher education institutions are responsible for the quality and coherence of the higher education programmes they offer and the standards of their awards but they may, through formal collaborative arrangements, devolve aspects of the delivery of their programmes to other partners. The range of partners can include, for example, a further education college or another higher education institution (hereafter called the learning provider); an employer or other organisation offering a work-based or placement learning opportunity (referred to in this publication as the work-based or placement provider); or an employer supporting its employee(s) on a higher education programme where the workplace is used as a learning environment. (Section 9, paragraph 22)

⁶ Available at: www.qaa.ac.uk/employers/qaa_statement.pdf.

Employer involvement

76 Employers may be involved in many aspects of the learning and on many different levels. Some employers and employees are often well placed to inform the setting of the learning outcomes in terms of the knowledge, skills and competencies required, and to work with the institution to contribute to the design of the learning. Such customisation of learning is common in employer-responsive provision, as long as the institution retains the final decision on the content and level of the learning. Respondents valued the employer's contribution but also commented on the need for the employer to understand that the ultimate responsibility for decisions on the amount of credit (if any) awarded to any learning and the learning outcomes are the responsibility of the awarding institution.

'Programme design needs to be done in partnership between the employer and HEI to ensure the content is what is required by the employer and that it is of an appropriate HE level and meets the needs of external bodies where appropriate.'

'Personally, from experience, I think it is very important that there is a coherent perspective to a programme of study that is led by the employer. This has been achieved through the employer identifying what roles they wish their member of staff to undertake on completion of their programme of study. This is identified through job descriptions, which then links to content and competency-based practice as well. This approach allows the student and employer to see clear progression.'

'My feelings are that this approach differs to other forms of work-based learning where the student identifies the learning that they would like to undertake and the modules that they feel would be appropriate to study.'

77 The *Code of practice, Section 2*, precept A17 and the *Code of practice, Section 9*, precept 7 both place a responsibility on the institution for assuring that all of their staff involved in delivering and/or supporting employer-responsive provision are appropriately qualified and prepared for the roles they will play and that all partners have effective strategies in place to monitor the fitness for purpose of their own staff.

The awarding institution should be able to satisfy itself that staff engaged in delivering or supporting a collaborative programme are appropriately qualified for their role, and that a partner organisation has effective measures to monitor and assure the proficiency of such staff. This applies equally to staff engaged in delivering or supporting an FDL programme. (Section 2, precept A17)

Awarding institutions ensure that:

- their staff involved in work-based and placement learning are appropriately qualified, resourced and competent to fulfil their role(s)
- where applicable, other educational providers, work-based and placement learning partners have effective measures in place to monitor and assure the proficiency of their staff involved in the support of the relevant work-based and placement learning. (Section 9, precept 7)

'This type of provision needs highly specialised academic staff. It is very demanding work for them and ensuring this type of provision is a challenge presenting some significant staff development.'

78 As well as being involved in curriculum design, employers may also contribute to the delivery of the learning in the workplace; this is valued by institutions. In many areas the employer involvement in delivery is of long standing, as in the health professions or programmes with

professional competence requirements. However, employer-responsive provision may involve employers who are not accustomed to providing teaching and learning and may be unfamiliar with the required level of the teaching and the general requirements of the institution. Respondents noted the need for the institution to engage with the employer and explain why it is important to ensure that anyone involved in delivery is competent for the role.

79 In traditional provision, institutions assess the fitness for purpose of the employer contribution to teaching and learning through, for example, employer CVs. However, in employer-responsive provision, the position of the employer as a customer may make it difficult to do this and therefore the institution may have to design other mechanisms to assure itself of the competence of the individual, such as by discussions with the employer and/or those involved in the delivery/assessment.

Assessment

80 Expectations with respect to assessment are set out in the *Code of practice, Section 6: Assessment of students*. In relation to employer-responsive provision, considerations may include:

- the need to ensure that there is a direct relationship between the institution and those conducting the assessment, and that the institution has direct oversight of assessment decisions
- the need for consideration by, and agreement from, all partners of the type of assessment strategy that is appropriate (for example, examinations may not be the most appropriate way of testing achievement in a workplace situation)
- a recognition of competing priorities in the workplace and flexibility in managing assessment deadlines. This may require the institution to amend its assessment regulations to ensure that this does not lead to unfairness to other students
- the need to ensure a balance between the assessment of academic knowledge and professional competence.

81 There was no doubt from the responses to the survey that institutions and subject-based staff appreciate the importance of maintaining oversight of assessment and control over final assessment decisions to assure the standards of their awards. Some Subject Centre respondents also confirmed the need to have assessment strategies that are appropriate to employer-responsive provision, and which assess both competence and knowledge.

'Integrity of assessment process is paramount. Clarity of purpose, monitoring and supporting if employers are involved.'

'In such programmes, the assessment and learning normally take place (or are practised) within the workplace or a comparable simulated environment under the supervision of University staff working with colleagues from the workplace.'

'Only institution academics are involved.'

'It would be helpful if there was more time spent on designing appropriate assessment for the work base which could enable the learners to demonstrate their achievement using the appropriate means rather than imposing a general assessment strategy on the learner that may not be fit for purpose. This would then allow subject departments to really engage with the WBL site as a site of learning.'

82 A large number of respondents noted that employers and learners were involved at various stages in assessment, particularly in the assessment of competence and in formative assessment.

Both institutional and Subject Centre respondents generally recognised the institution's responsibility to ensure that anyone involved in assessment is competent to carry out their role (as stated in the *Code of practice, Section 6: Assessment of students*, precept 10).

Institutions ensure that everyone involved in the assessment of students is competent to undertake their roles and responsibilities. (Section 6, precept 10)

'Employers' involvement in assessment could bring problems of consistency, comparability of standards, etc.'

'There are QA concerns when this assessment occurs within the workplace i.e. has the workplace assessor received appropriate training/support/updates.'

'Mentors and work-based supervisors provide input to assessment, but the final summative judgement is the responsibility of the University (in collaboration with partner colleges for franchised FDs).'

83 Particular areas of higher education were identified as having considerable experience in involving employers in assessment, for example in traditional practice-based provision in the health sector, but such experience is not common in all employer-responsive provision. Some respondents reported that their institution carries out staff development with partners involved in assessment, focusing on areas such as assessment against learning outcomes, using marking criteria, and providing feedback to students. This was reported to widen the pool of assessors as well as contributing to assuring standards.

'This was acknowledged as the most difficult area of employer-responsive provision. Employers do not want to be involved in summative assessment but are more likely to get involved in formative assessment. This is an area where staff development is critical.'

'Main challenge is assuring standards when any part of assessment takes place by staff other than University own staff. This can be addressed by staff development and in some areas formal supervisor/mentor training programmes exist.'

'Where appropriate we involve employers in assessment of students and provide them with the necessary tools to assess students and their work effectively, fairly and in alignment with University policy and practice.'

84 Institutions therefore often involve employers only in formative assessment and/or in the assessment of professional competencies and skills. All but one respondent noted that summative assessment was conducted and marked solely by academic staff. In the one exceptional case, it was noted that an employer was responsible for summative assessment but decisions were moderated by the institution.

'Assessment in the workplace is a particular challenge. Where employers are involved in assessing students on academic programmes, we ensure they fulfil their assessment role using University policies and in alignment with academic practice. Normally, and always if the individual is inexperienced, external assessors work alongside academic staff in assessing students, and their marking is moderated in the same way as other assessors. Where we employ external supervisors of doctoral students, they work alongside an experienced internal supervisor.'

External examining

85 The primary function of external examiners in UK higher education is to report to the employing institution on the appropriateness and comparability of standards set for awards and on

the standards and comparability of student achievement. To carry out this role effectively the external examiner needs to have a thorough understanding of how standards are set and how outcomes are assessed.

86 It is the institution's responsibility to select, appoint, brief, guide and support external examiners for all its provision, as noted by the *Code of practice, Section 4: External examining*, precepts 1 and 4.

An institution should ask its external examiners, in their expert judgement, to report on:

- i whether the academic standards set for its awards, or part thereof, are appropriate;
- ii the extent to which its assessment processes are rigorous, ensure equity of treatment for students and have been fairly conducted within institutional regulations and guidance;
- iii the standards of student performance in the programmes or parts of programmes which they have been appointed to examine;
- iv where appropriate, the comparability of the standards and student achievements with those in some other higher education institutions;
- v good practice they have identified. (Section 4, precept 1)

Institutions will make every effort to ensure that their external examiners are competent to undertake the responsibilities defined in their contract. (Section 4, precept 4)

87 This is also covered in the *Code of practice, Section 2*, precepts A21, A22 and A23.

External examining procedures for programmes offered through collaborative arrangements should be consistent with the awarding institution's normal practices. This applies equally to programmes offered through FDL arrangements. (Section 2, precept A21)

The awarding institution must retain ultimate responsibility for the appointment and functions of external examiners. The recruitment and selection of external examiners should be referenced to Section 4 of the Agency's *Code on External examining (2004)*, or any successor document. (Section 2, precept A22)

External examiners of collaborative programmes must receive briefing and guidance approved by the awarding institution sufficient for them to fulfil their role effectively. This applies equally to FDL programmes. (Section 2, precept A23)

88 Respondents to the survey expressed a range of views about the role of external examiners in employer-responsive provision. Some thought that an approach to academic standards for employer-responsive provision should be consistent with traditional programmes and that the roles and responsibilities of the external examiners should be the same for both types of provision. Others thought that there was the potential for external examiners to be different to the traditional academic by recruiting employer/practitioners. They reported that what external examiners reported on and how they reported may need to change for employer-responsive provision.

'...size and duration mean it may not be realistic to involve external examiners always. Shell awards tend to encourage generic learning outcomes where standards are harder to interpret and compare.'

'...a number of courses have two external examiners, academic and industrial.'

'Assessment on the ground - should all be business as normal with same external examiner arrangements.'

'...external examiners work in teams, quite happily, so that employer-responsive provision has scrutiny from all the viewpoints necessary. More experienced externals are able to coach or mentor less experienced examiners. The University has contingency arrangements....'

'...there are also potentially changes around external examining and encouraging external examiners to go out to meet students on placement.'

'External examining is an issue for institutions to square...how can work done on placements or in the workplace be considered by examination boards and given meaningful scrutiny. The Subject Centre has created a register of external examiners.'

'The role of the external examiner in small credit units needs to be considered...the involvement of the EE in these units depends on the level - for example the EE is not usually involved in L4 units unless they are new.'

89 Respondents commented that external examining processes were generally designed for traditional programmes and are not always well suited to situations where the amount of academic credit awarded is small, or may not be part of an award. There was also recognition, however, that institutions need to find ways of applying their external examiner arrangements to this kind of provision. Some Subject Centre respondents commented on the need to ensure that practice-based assessment can be scrutinised by the external examiner and the assessment and/or examination boards. Institutions' approaches vary in these circumstances. Respondents commented that appointing external examiners for every component of small units of learning would be unfeasible as it would be difficult to administer and costly. One institution noted that it did not have external scrutiny of small units of learning below 20 credits, but provision of a greater volume was subject to external scrutiny through its usual quality assurance procedures. (The relationship between size of unit/award and the proportionality of quality assurance processes is discussed in the section entitled 'Risk and proportionality of quality assurance processes'.)

90 Respondents also commented on the type of external examiners to be appointed for employer-responsive provision - whether to appoint different external examiners for the academic knowledge/skills elements to those appointed for professional skills elements, and also whether to appoint employers as external examiners. It was recognised that by doing this there would be an extra cost. Some thought that the use of practising professionals in examining arrangements allowed for an independent view on the professional competencies demonstrated by learners but that they should be either supported in this role or be appropriately trained to enable them to report on both academic standards and professional competencies.

'External examiners are crucial, but the issue of finding appropriate examiners...will grow.'

91 Several institutions expressed a concern that some external examiners do not have sufficient experience of work-based learning for them to be able to discharge fully their responsibilities for employer-responsive provision. Some respondents commented on the benefit of investing in developing knowledge and experience of workplace learning in their own staff. This may also be beneficial to the sector as it will widen the pool of external examiners.

The use of academic credit in employer-responsive provision

92 This sections deals with the following topics:

- The level and amount of credit
- The retrospective award of credit/accreditation of in-house training
- Balancing academic knowledge with professional competence
- The coherence of the award
- Subject benchmark statements and other subject level reference points

The level and amount of credit

93 The ability to award academic credit for higher education learning is limited to higher education institutions with degree awarding powers and this sets them apart from private training providers.

94 Fundamental to the management of academic standards in higher education is the determination of intended learning outcomes at an appropriate level of the FHEQ, which provides guidance on this in paragraph 24.

When positioning higher education qualifications within the FHEQ, higher education providers will wish to assure the public that the achievements represented by qualifications are appropriate and represented consistently. Higher education providers are responsible for demonstrating that each of their qualifications is allocated to the appropriate level of the FHEQ. In considering the appropriate level for a qualification, higher education providers consider:

- the relationship between the intended outcomes of the programme and the expectations set out in the qualification descriptors
- whether there is a sufficient volume of assessed study that will demonstrate that the learning outcomes have been achieved
- whether the design of the curriculum and assessments is such that all students following the programme have the opportunity to achieve and demonstrate the intended outcomes.

When designing and approving programmes, higher education providers will wish to ensure that a coherent learning experience is delivered and that due consideration is given to the precept and explanatory text relating to programme design in the *Code of practice for the assurance of academic quality and standards in higher education, Section 7: Programme design, approval, monitoring and review*. In addition, higher education providers will wish to take account of the regulatory and other requirements of the PSRBs which accredit specific professional programmes. (FHEQ, paragraph 24)

95 Academic credit is awarded to students who have successfully completed a module, unit or qualification. To do this, students must demonstrate that they have met a specific set of intended learning outcomes for the unit, module or qualification. Intended learning outcomes outline what a successful student will know, understand and be able to do upon successful completion of the provision. It is the achievement of the intended learning outcomes that is important for the award of credit, rather than how or where the learning takes place.

96 The FHEQ applies to degrees, diplomas, certificates and other academic awards (other than honorary degrees and higher doctorates) granted by institutions. Awarding credit for this kind of

provision in the form of full awards is seen to present few problems for institutions and the qualifications level descriptors in the FHEQ were regarded as helpful in such circumstances. Institutions are diligent in the correct use of nomenclature of awards as set out in the FHEQ when bestowing such titles on their awards.

97 The development of employer-responsive provision has seen a significant increase in employers working with institutions to meet their educational/skills needs through the design and delivery of learning and/or through the accreditation of their in-house company training. The size of such provision, in terms of credit, can vary. A small number of respondents to the survey stated that the FHEQ was less helpful when credit was being awarded for small units of learning. For these smaller volumes of learning, some institutions considered other guidance to be more helpful as they are generic descriptors of learning at a particular level rather than qualification descriptors – for example, the level descriptors published by credit consortia such as SEEC,⁷ the *Higher education credit framework for England: guidance on academic credit arrangements in higher education in England*, published by QAA,⁸ and the Northern Ireland Credit Accumulation and Transfer System (NICATS).⁹

'...difficulty in mapping some aspects of FHEQ against employer demand.'

'...[we have] developed a toolkit which enables the University to award a credit value to employer training schemes.'

The award of credit/accreditation of in-house training

98 Academic credit may be awarded in a number of different situations:

- the accreditation of in-house training
- the accreditation of prior learning and prior experiential learning as a contribution to an award of the institution
- the acceptance of credit awarded by another institution in the case of consortia.

99 Many institutions already use credit as part of their accreditation of prior experiential learning (APEL) procedures. The development of employer-responsive provision, however, is encouraging institutions to revisit the effectiveness of their APEL procedures to help them award credit for such provision.

'...reviewing the use of APEL across the University to develop, where necessary, additional capacity and strength.'

'...specifically in relation to QA there have been changes around APEL, generic APEL to enable individuals to access programmes. The University has done some workforce-led block APEL.'

'At the moment there is an open award framework in place which allows for students to negotiate the programme they study, APEL, existing modules, WBL - the structures are in place to put together an award like this but it isn't often used apart from in health-related programmes where it's easier because of the built-in CPD and the resource to support it. Also the university records system does not cope particularly well with difficult "lumps" of credit and some of the funding is intended to improve this.'

⁷ See www.seec.org.uk/docs/creditlevelDescriptors2001.pdf.

⁸ Available at: www.qaa.ac.uk/standardsandquality/credit.

⁹ See *Designing Learning Programmes: A Credit Based Approach*, available at: www.nicats.ac.uk.

100 There is increasing demand from employers and private educational providers for institutions to award credit to their in-house training or accredit their provision. In doing so, institutions were uncertain of their responsibilities for the quality assurance of such provision, particularly in the assurance of the learning opportunities of the learner. They requested guidance from QAA on this matter. They recognise that QAA Statement indicates that, in these circumstances, the institution gives priority to assuring academic standards as these, unlike the quality of learning opportunities, are under the direct control of the institution. However, they are of the view that the QAA Statement does not resolve the question of whether the institution is ultimately responsible for the quality of the learning opportunities when awarding credit in these situations or accrediting such provision.

101 Respondents saw a need for detailed discussion with employers, to help the latter to appreciate that:

- it is the institution's responsibility to determine the amount and level of credit awarded
- academic credit cannot be attached to all learning
- a specified level of academic rigour and depth of knowledge to the training is likely to be needed for an institution to be able to award academic credit
- the award of credit is a measure of academic achievement and not merely a 'kite marking' exercise.

102 It is common for institutions to accept the credit of another institution, where no formal agreement between them exists. This is often achieved through the use of APEL procedures or through a credit transfer scheme. However, there are arrangements in some consortia where institutions may accept the credit and grades awarded for modules assessed elsewhere (for example, by Higher Level Skills Pathfinders, Lifelong Learning Networks, The Greater Manchester Strategic Alliance, and so on). In these cases, one institution often takes the lead in aggregating the units taken by the learner and assesses whether agreed programme learning outcomes have been achieved. If this is so, the institution may make an award.

'If enough credit was accumulated for an award on the FHEQ, in principle any one of the awarding institutions could give such an award, but what would be the practicalities of this? Who has overall responsibility for the quality of learning opportunities? What would an audit team's reaction be?'

'There is a question over when credit transfer becomes collaborative provision. Is it OK for a student to earn credit from courses/modules taken in a variety of centres, which a further institution could then accredit for an award? Does this come under Section 2 of the Code? Would applying its precepts to such provision be restrictive?'

103 The QAA Statement discusses these arrangements and recognises that in these circumstances the learner must demonstrate the achievement of the programme learning outcomes for the award and that it may not be necessary for the lead institution to revalidate every component of the learning. Each awarding body is ultimately responsible for the standard of any award made in its name, and it is for them to decide what evidence they will accept to enable them to determine their general confidence in partners' contributions. Such evidence may include the outcomes of audits and reviews undertaken by external and independent bodies.

There is an increasing emphasis on the delivery of employer-related learning through consortia, such as Lifelong Learning Networks and Skills Pathfinders, with different models emerging for the organisation of such provision. QAA is keen to ensure that, while HEIs continue to identify how confidence in the quality of their programmes and standards of their awards is achieved and demonstrated, they should not over-elaborate their quality assurance procedures. (QAA Statement)

Balancing academic knowledge with professional competence

104 Familiar tensions between education and training were reflected in the comments made by respondents to the survey. Many noted a need to balance academic knowledge and professional competence. They reported that at times an employer's focus may be on the achievement of professional competencies and skills, while the institution needs to ensure that provision contains sufficient academic content, at an appropriate level, to justify an academic award, or the award of academic credit.

'...the training versus education debate. Companies want control because they are paying for a "service" and expect to get what they want, but the university is responsible for the development of its student cohorts. There is a tension between what is training and what is education.'

'The main challenges the University faces are concerned with balancing the academic and the industrial. Managing the expectations of the employer and the student with regard to the outcomes of research activity and the tension which may arise between the perceived benefits of the research undertaken for both parties is an example of this. Some employers do "interfere", because of their differing aims, cultures and approaches, for example fitting the "training" approach of [a particular employer] into an academic framework presents challenges.'

'There is a potential conflict between the provision of training and the delivery of education leading to a qualification. The product needs both to provide the training and skills which will benefit practice but also to deliver learning and achievement which will meet the expectations of HE qualifications as described in the Academic Infrastructure.'

'The debate about training and education is also played out in this subject area.'

105 Respondents thought that employers may have an over emphasis on wanting skills and training in the learning programme due to the employer having an insufficient understanding of higher education learning. The employer may therefore consider that the achievement of professional competence is sufficient to succeed in gaining an award. Other respondents commented that some academics may rely too heavily on their own higher education learning experiences and underestimate the importance of skills requirements in the workplace. It was felt that there is a need for a detailed discussion between partners for the successful development of curricula in employer-responsive provision. It was thought particularly important that employers understand that academic credit can only be awarded for the successful achievement of learning.

'There is a challenge to meet employer needs for specific skills development but within a programme that provides academic coherence and the development of higher level skills required at each level.'

'...justifying higher level of skills such as critical evaluation skills. There can be level issues and re-articulating what employers do into HE is not straightforward. It has to be negotiated. Employers are not always happy with the outcomes, for example the amount of credit not being enough.'

'...undue emphasis on skills - could be perceived as less challenging.'

106 A further matter which is related to the balance between education and training is one of progression. In many traditional higher education programmes there is an assumed linear progression through the levels of learning and achievement. In the workplace, however, an employee may draw upon skills and knowledge at different levels at any given time. For example, an employee may have a high level of technical ability and competence but a lower level of subject

knowledge. It was thought important to bear this difference in mind when setting standards and assessing student work.

'The College feels that it is important to ensure that the opportunities offered remain at HE level, and to ensure that candidates' abilities are appropriate for that level. This presents a particular challenge when the need for skills vs academic learning must be taken into account.'

The coherence of the award

107 In order to help them respond to employer needs, institutions have developed frameworks for the accumulation of discrete units of learning which may or may not be aggregated into a full award. Respondents to the survey noted that some institutions have developed continuing professional development frameworks that contain 'empty modules', that is, a set of generic learning outcomes that can be customised to meet the needs of various employers. Other institutions have pre-validated modules that can be adapted to different situations. These are often generic rather than subject-related in nature, and they often form part of general continuing professional development frameworks leading to awards in 'Professional Studies' or 'Professional Practice'. For an award to have a subject title in these cases there has to be an appropriate amount and level of academic subject content. At least one institution has developed work-based learning at the level of a field of study where the learner can achieve an award in work-based learning.

'But, the key questions are how the individual units fit together into an award and what would Institutional audit make of the management of such an award.'

'The University has developed a "flexible credit framework" to provide improved access to HE for those in work. The framework recognises that HE credit may be obtained in a range of ways and seeks to maximise opportunities for employees to gain credit and build that credit towards an award.'

'Credit frameworks are the most useful. The recent change to the FHEQ (levels 4, 5 and 6) makes it easier to see the "ladder of achievement" from FE to HE qualifications.'

'...currently developing a "work-based learning framework" which will permit the accreditation of employer's training as well as potentially provide a structure for FDs and other employer-related provision. The framework applies to all taught provision-generic WBL modules can be drawn down to support subject-specific provision. Have a central employer engagement team and specific posts in some institutes. Increasingly involve employers in validation and review - since the revision of the validation process last year, employers are now involved as standard in the planning and development of FDs particularly and other relevant awards as appropriate. Established internal quality standards for WBL and placement learning which are key reference points for validation and review. The QAA Code was a starting point for the discussions.'

'HE provision at PG level is offered both in terms of full programmes and "bite-sized chunks", and the accreditation of work-based learning. There is debate in the academic community about quality, coherence and progression. Hard to take an overall view.'

108 In the aggregation of discrete units of learning into an award it is important that there is coherence as stated in paragraph 24 of the FHEQ (see paragraph 94 of this report).

'...a key issue is how are unit credits to be bundled to give the necessary coherence for an HE award.'

'...how to build modular, individually negotiated units into cohesive programmes, where the

initial development of modules did not lead to a full award (i.e. building programmes through the shell module framework).'

109 In order to demonstrate threshold standards and content for a degree in a specific subject area, institutions use a range of reference tools such as subject benchmark statements and/or the requirements of a professional statutory or regulatory body. These are discussed below.

Subject benchmark statements and other subject level reference points

110 Subject benchmark statements are reference tools describing the expectations about standards of degrees in particular subject areas. They describe what gives a discipline its coherence and identity, and define what can be expected of a graduate in terms of the abilities and skills they can expect to have developed by the end of their studies. However, the statements refer to whole awards, usually at honours level, and are restricted to particular academic disciplines.

111 Some respondents to the survey noted that subject benchmark statements are not as helpful for designing intended learning outcomes for employer-responsive provision as they are for more traditional provision. Often, the learning involved in employer-responsive provision is small in volume and multidisciplinary in content. This can necessitate the use of a range of subject benchmark statements, rather than one in particular, and in some cases there may not be appropriate subject benchmark statements to refer to. The subject benchmark statements were not perceived as relevant within the context of the 'shell' agreements, and it was noted that there was no generic benchmark statement for work-based learning.

'The emphasis remains on pre-planned programmes of study. These assumptions may need to be revised. The subject benchmark statements are difficult in this context. Some employer-led provision could in principle make use of four or five benchmark statements. In practice make use of those that the programme team consider most appropriate.'

'They are very helpful, although the subject benchmarks aren't relevant for shell frameworks.'

'...also subject benchmarks - there is a challenge for employers in understanding a discipline as an academic subject. Employers will need to draw on a range of benchmarks.'

112 Other important reference points at the subject level are the requirements of professional, statutory and regulatory bodies (PSRBs), especially in those cases where a licence to practise is required. The *Code of practice, Section 2*, precept A5 makes reference to the responsibilities of the institution with regard to PSRBs. The *Code of practice, Section 6*, precept 12 also makes reference to the need to meet the requirements of any PSRB.

The awarding institution should inform any professional, statutory and regulatory body (PSRB), which has approved or recognised a programme that is the subject of a possible or actual collaborative arrangement, of its proposals and of any final agreements which involve the programme. This applies equally to programmes for which significant FDL arrangements are developed after the programme has been approved or recognised. In any case, the status of the programme in respect of PSRB recognition should be made clear to prospective students. (Section 2, precept A5)

Institutions provide clear information to staff and students about specific assessment outcomes or other criteria that must be met to fulfil the requirements of PSRBs. (Section 6, precept 12)

113 The importance of complying with PSRB requirements is widely accepted, and some

respondents considered them to be among the most useful tools available for the curriculum development of the award, and essential in the context of some employer-responsive provision. Other respondents, however, noted that some PSRB regulations can be difficult to meet in this context, and occasionally can be an impediment to the development of this kind of provision. In particular, some respondents noted that where institutions are aggregating discrete elements of learning, perhaps drawn from several educational providers and conducted over a long period of time, compliance with some PSRB requirements can be a significant challenge. Such requirements can restrict what can be offered to employers, how far their needs can be satisfied, and the assessment methods that can be used in such provision.

114 The implications of PSRB requirements may not be widely understood by all partners and it was thought beneficial for the institution to explain to employers, students and private providers the role of the PSRB, and the implications of its requirements for the partnership. They also observed the need to consider PSRB requirements early in the planning stage as they may influence both the curriculum content and the coherence of the award.

'PSRB statements tend to be most useful as they are very precise and subject specific. Other national framework documents are embedded in University processes and are automatically applied.'

'In PSRB work there are challenges - PSRBs are often quite demanding in terms of information provision, resource provision, the extent to which resource is ring fenced for that particular professional area etc but these are well understood constraints and the University works with them.'

'Where employer-led provision is also subject to PSRB accreditation this can help in communicating with employers in a language that they understand. The specifications of PSRBs help with concreteness. In some cases, however, it can be a complicating factor, and in one case the criteria used are unhelpful and inappropriate, with limited expectations and loose wording. This can work in different ways.'

Conclusions

115 Through this survey, QAA has gained a better understanding of:

- how institutions see their position regarding employer engagement and work-based learning
- the range of approaches being adopted by institutions to the quality assurance of work-based learning and employer-responsive provision
- the quality assurance matters faced by institutions with respect to this provision.

116 The main conclusions of the report follow (in paragraphs 117-135).

117 There have been significant changes in higher education in the last few years as institutions respond to the skills agendas set out by government and the demographic changes that are anticipated over the next 12 years. Institutions are more flexible in the range of provision and the mode of study. There is a move away from the traditional three or four-year, full-time undergraduate degree to more people studying part-time and using the workplace as a site of learning. Such provision is intended to meet the needs of employers and for the purposes of this report has been called **employer-responsive provision**.

118 Many institutions have changed their mission statements, their structures and their procedures to respond to the employer engagement agenda and have become more business-facing and responsive to employers.

119 There is a variety of provision that can be classed as employer-responsive and institutions define it in many different ways. Depending on their definition, institutions are considering the degree to which the quality assurance procedures for traditional provision are fit for purpose when applied to employer-responsive provision and what changes, if any, should be made. It is recognised that while the principles of quality assurance for all provision may be the same, the detail of the processes may need to be modified.

120 The overwhelming view is that employer-responsive provision should not be perceived as of inferior standard or less value than traditional provision. Institutions recognise that they face some challenges in quality assuring employer-responsive provision but are unequivocal in the view that any award should be subject to a level and rigour of scrutiny comparable to any other award made in their name. Anything else would jeopardise academic standards.

121 Quality assurance processes in higher education are informed by the reference tools of the Academic Infrastructure. Opinion was divided as to the extent to which the support provided by the Academic Infrastructure is appropriate for employer-responsive provision. Sixteen institutions considered that while these reference tools were designed to support traditional provision, they are also helpful, fully supportive and sufficiently flexible to assure the standards and quality of employer-responsive provision. It is for an institution to interpret the components in an appropriate manner.

122 Respondents identified limitations with some of the reference tools. Particular elements were cited as barriers to institutions' ability to respond to employer needs. As employer partnerships were often very different to partnerships with educational providers, institutions questioned the degree to which all the requirements set out in the *Code of practice, Section 2* can be achieved in the partnerships of employer-responsive provision. Such provision often involves small amounts of learning, rather than whole programmes and therefore the value of programme specifications and subject benchmark statements was questioned.

123 Institutions described the use of a 'risk-based approach' to the quality assurance of employer-responsive provision where a risk assessment is conducted and quality assurance processes are devised to mitigate these risks. A variety of risks was identified. Institutions also considered the relationship between risk and proportionality in terms of the appropriate weight of quality assurance to be applied in relation to the size of learning that is being validated and the risks identified.

124 Institutions are clear that they are responsible for the standards and quality of all provision, wherever and however delivered. Institutions take this responsibility very seriously. They recognise that the assurance of academic standards cannot be devolved and that standards of all awards should be equivalent. However, in terms of quality of learning opportunities in employer-responsive provision it may not always be possible or desirable for each learner to have equivalence of learning opportunities. The emphasis on the appropriateness of the learning opportunities to meet the intended outcomes is thought to be more achievable. This is not confined to employer-responsive provision but applies also to other forms of learning that take place 'off-campus'. The QAA Statement, published in July 2008,¹⁰ provides more guidance on this issue and was reported to be helpful.

125 Institutions are very experienced in managing collaborative arrangements with other education providers but employer-responsive provision can involve a range of partners and a variety of partnership agreements. Institutions are keen to ensure that they adhere to the *Code of practice, Section 2* when setting up partnerships. Institutions can and do devolve aspects of provision to other partners, but they always maintain a direct link with the partner conducting the assessment and maintain responsibility for oversight and agreement of assessment decisions, so assuring standards.

126 Employers are keen to engage with higher education providers to satisfy their learning needs but they often want provision that is designed and approved to their timescales. Such responsiveness was identified as a risk factor to institutions. They have adapted existing validation processes to enable them to be responsive to the demands of the employer without putting standards and quality at risk.

127 A key factor to the success of employer-responsive provision, cited by many respondents, was the need to develop strong, committed relationships between all partners. This requires clarity as to the roles, responsibilities and entitlements of each partner. It is important that the partners recognise those elements that the institution will regard as 'non negotiable'. Spending time developing such relationships not only results in a greater understanding by all partners but also contributes to committed sustainable partnerships.

128 Employer-responsive provision often requires flexible approaches to teaching, learning and assessment where often the site of learning is the workplace. This is common in some areas such as the health professions and teaching. Institutions have extensive experience in the quality assurance of such provision.

129 Employers are often involved in many aspects of the teaching and learning including the setting of the learning outcomes, the delivery, and the assessment of the learner. It is common for employers to be involved in formative assessment particularly in assessment of professional competence. It is rare for the employer to have sole responsibility for summative assessment decisions and institutions recognise the importance of maintaining oversight of summative assessment to assure standards.

¹⁰ Available at: www.qaa.ac.uk/employers/QAAstatement.asp2008.

130 Institutions also recognise the importance of ensuring that all those involved in any aspects of teaching, learning or assessment are competent to carry out the role and are appropriately supported.

131 The role of the external examiner in employer-responsive provision is presenting challenges to institutions. Questions asked include: Who can be an external examiner? Can it be an employer/practitioner? What do they report on? How can they assure comparability of standards? Should the roles and responsibilities be the same as for traditional provision? The limited experience of employer-responsive provision among potential external examiners is a challenge for institutions.

132 The award of academic credit is of significant importance to institutions as this sets them apart from private training providers and is sought after by employers. Institutions recognise their responsibilities in awarding credit and have few problems in doing so for provision that they have designed and validated with an employer. However, the responsibilities of the institution in terms of assuring the quality of the learning opportunities are unclear when it is asked retrospectively to accredit in-house training provided by another party. The QAA Statement provides guidance on this.

133 Respondents noted that there is a tension between the requirements of the employer and those of the institution when developing the learning outcomes and the assessment. It is felt that employers are more interested in learning and the ability to demonstrate professional competences rather than the achievement of academic knowledge. It is important for all involved to have an understanding of the institution's requirements in approving and awarding credit to any learning.

134 Many institutions are developing frameworks for the accumulation of discrete prevalidated generic units of learning which can be aggregated into a full award. This enables institutions to customise units with generic learning outcomes to satisfy the needs of the employer. There is some concern as to how such awards can demonstrate coherence and how they align with the FHEQ and any requirements of PSRBs.

135 Institutions are forming collaborative relationships and delivering higher education in consortia. Programmes may be made up of learning that has been validated and assessed by different higher education institutions. It is for each institution to decide what evidence it will accept to determine the confidence it can have in the partner's procedures to assure standards and quality so reducing the need to revalidate all components.

Appendices

1 Employer-responsive provision questionnaire (for institutions)

Definitions and size of involvement

1 What do you understand by employer-responsive provision? Please provide details:

2 How long has your institution been involved in such provision?

Less than one year

One to two years

Three to five years

More than five years

3 In what ways?

4 How many such enrolments does your institution have on such programmes?

Fewer than 50 50-100 101-250 251-500 More than 500

5 What proportion of your total provision does this represent?

<1% 1-5% 6-10% 11-25% 26-50% 51-75% 76-100%

6 How many enrolments does your institution plan to have in two years' time?

Fewer than 50 50-100 101-250 251-500 More than 500

7 What proportion of your total provision will this represent?

<1% 1-5% 6-10% 11-25% 26-50% 51-75% 76-100%

8 What type of employers does your institution engage with? Please give a percentage to the following:

Public %

Private %

Voluntary %

9 Is your institution one of the co-funded projects which has received HEFCE SDF funds?

YES NO

If yes, please provide brief details of the project and the impact that it has had/will have on the institution:

Strategies

10 Has your institution changed its mission statement to become more 'business facing/employer-responsive'?

YES NO

If yes, please provide details:

11 Where is this provision located within the institution?

For example, embedded across the institution, named department, has its own faculty etc.
Please provide details:

12 Do you think that the quality assurance of employer-responsive provision should be different from that which applies to the 'traditional' higher education offer?

YES NO

If yes, what do you see as the key features of the quality assurance of employer-responsive provision? Please provide details:

13 Has your institution adopted strategies to facilitate the quality assurance of employer-responsive provision?

For example, have you introduced frameworks that support the accreditation of a range of external provision - that is, shell frameworks; developed a central employer engagement team; ensured that employers are actively involved in course design and delivery; increased linkages between staff and professional bodies/industry?

YES NO

If yes, please provide examples and further details of any strategies or approaches that your institution has adopted:

Institutional processes

14 What reference tools does your institution use in the quality assurance of this area?

For example, *Code of practice*, PSRB regulations, FHEQ, SSC frameworks/programmes.

Please provide details:

15 How helpful are they? Please provide as much information on each as you can:

16 Has your institution felt the need to adopt new processes?

For example, change in external examiner role; partnership agreements with employers; third party deliverers (training providers); new validation arrangements; APEL guidelines?

YES NO

If yes, please provide details:

Challenges

17 To what degree do the reference tools which provide the framework for quality assurance support/restrict your institution from providing employer-responsive provision?

Fully supportive - it is possible to interpret them to suit the situation

Partly supportive - there are some areas which are barriers

Restrictive - they are not suitable for this area of activity

If partly or restrictive, please specify which reference tools, and in what ways they are challenging your institution:

18 What challenges does your institution face/have you faced in the quality assurance of employer-responsive provision?

For example, timely responses to employer demands - interference in curriculum design; undue emphasis on skills; quality assurance of assessment in the workplace; involvement of employers in assessment? Please provide details:

19 What should the Quality Assurance Agency for Higher Education (QAA) and institutions keep in mind when setting any frameworks for employer-responsive provision?
Please provide details:

Structures

20 Has your institution put any structures in place for the quality assurance of employer-responsive provision?

For example, availability of bite-sized learning; accreditation; adapted APEL procedures; new committees; flexible modes of study and assessment; rapid validation procedures; new committees?

YES NO

If yes, please provide details:

Curriculum design and delivery

21 Has the way that the curriculum is designed, delivered and assessed changed in your institution to be more responsive to employer needs?

For example, employer involved in validation, delivery opportunities to study more remotely and bite-sized units?

YES NO

If yes, please provide details:

22 Has the structure of the qualifications offered changed?

YES NO

If yes, please provide details:

Assessment

23 How do you manage assessment in this area? Please provide details:

24 Who is involved? Academics, mentors, supervisors, employers etc:

25 Do you consider there are any challenges in assuring standards in this area?

YES NO

If yes, please provide details:

Sustainability

26 Do you consider that involvement in this type of provision carries more risks than traditional provision?

YES NO

If yes, please provide details:

27 How do you manage any risks identified associated with this area?

For example, employer's involvement ceasing, loss of sites of work-based learning, employer funding being withdrawn. Please provide details:

28 Are there any ways in which the challenges posed by the quality assurance of employer-responsive provision have impacted on quality assurance generally?

For example, 'lessons learned' etc. Please provide details:

General

29 What do you think would help in supporting your institution in the quality assurance of this area? Please be as specific as possible:

30 Is there anything else that you wish to tell us in relation to employer-responsive provision?

2 List of participants

The following higher education institutions took part in the employer-responsive provision survey:

Anglia Ruskin University
The Arts University College at Bournemouth
University of the Arts, London
Aston University
University of Bath
Bath Spa University
Birkbeck College
Birmingham City University
The University of Bolton
Bournemouth University
University of Bristol
Canterbury Christ Church University
University of Central Lancashire
University of Chester
Conservatoire for Dance and Drama
Cranfield University
University of Durham
University of East London
Edge Hill University
University College Falmouth
University of Gloucestershire
University of Hertfordshire
University of Huddersfield
University of Hull
Imperial College London
University of Keele
University of Leeds
London Metropolitan University
London South Bank University
Loughborough University
The Manchester Metropolitan University
Middlesex University
University of Newcastle upon Tyne
The University of Northampton
University of Northumbria at Newcastle
University of Nottingham
Nottingham Trent University
Oxford Brookes University

University of Plymouth
University College Plymouth, St Mark and St John
University of Portsmouth
The Queen's University of Belfast
Ravensbourne College of Design and Communication
Royal Agricultural College
Royal College of Art
Royal College of Music
Royal Northern College of Music
University of Salford
University of Sheffield
Sheffield Hallam University
University of Southampton
Staffordshire University
University of Surrey
Swansea University
University of Teesside
Trinity College of Music
University of Ulster
University of Wales, Newport
University of Wolverhampton
University of Worcester

The following Higher Education Academy Subject Centres participated in liaison discussions on this topic:

Art Design Media (ADM-HEA)
Business Management Accountancy and Finance (BMAF)
Engineering
English
Health Sciences and Practice
Hospitality, Leisure, Sport and Tourism (HLST)
Information and computer sciences (ICS)
Medicine, Dentistry and Veterinary Medicine (MEDEV)
Philosophical and religious studies (PRS)
Social Policy and Social Work (SWAP)

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