



## Universities Scotland response to UKSCQA consultation on the review of the UK Quality Code for Higher Education

Universities Scotland welcomes the opportunity to respond to this consultation.

Scotland's higher education institutions value the UK Quality Code highly. The Code as it stands plays a vital role in providing a common foundation for the higher education sector across the UK. It sets a high bar that is essential to safeguarding confidence in quality and standards throughout all four nations, as well as securing the UK sector's world-leading international reputation.

The Code has always been developed collaboratively and inclusively with the sector and students across the whole of the UK. This approach, grounded in the fundamental principle of co-regulation, has proved highly successful and has wide support.

Universities Scotland believes strongly that the Code must continue to fulfil its critical role in unifying UK higher education and articulating an ambitious baseline, and also that it is imperative that the Code continues to be developed in close partnership with the sector, on the basis of UK-wide co-ownership.

### **1. Does this proposal provide a coherent framework for quality and standards in UK higher education?**

No. Universities Scotland would welcome a clearer and more holistic proposal that enables us to consider the new model as a whole, and that more clearly builds on the existing Code, with student engagement and quality enhancement at its core.

Universities Scotland recognises that the Code should be reviewed on a regular basis. We also acknowledge that the Code as it stands could be made more accessible to a wider range of audiences, and we welcome this intention. We have significant concerns about the clarity and coherence of the proposal, however, and also about whether it meets the needs of the Quality Code as a UK-wide framework.

#### *Clarity and coherence*

We are concerned that the proposal represents an oversimplification of the Code, and that as a result – contrary to intentions – it risks reducing the clarity and coherence of the Code, and diminishing its value to stakeholders.

We believe the proposed language in the expectations and core practices is imprecise – with the potential to lead to misinterpretation and, consequently, misapplication – and we have concerns that the Code as a whole stands to lose important breadth and depth of content, as the proposed rationalisation seems to narrow the Code’s scope (our response to Q2 outlines key areas omitted), as well as removing meaningful detail in the Code that is valued widely in the sector.

The phased approach to the consultation means, however, that it is difficult to judge the overall coherence of the proposed model – whilst expectations and core practices are provided, the supplementary practices, advice and guidance are not yet available. There is also a lack of clarity as to the status of and relationships between these various elements. It would have been more helpful to be able to consider the model as a whole.

In any case, however, we do not believe that developing something more streamlined requires designing a whole new Code from scratch. For example, we suggest that the existing Indicators – developed collaboratively with the sector over time, and used widely by institutions and other stakeholders – could be revised to provide a useful starting point for the supplementary practices, advice and guidance.

Similarly, to ensure clarity and coherence, we believe that the current Part A or something similar outlining key reference points (such as qualification frameworks and subject benchmark statements) should continue to underpin the Code as a whole.

In addition, we support maintaining a commitment to the Code’s established set of “overarching values” and also to the current Code’s purpose<sup>1</sup>:

- to safeguard the academic standards of UK higher education
- to assure the quality of the learning opportunities that UK higher education offers to students
- to promote continuous and systematic improvement in UK higher education
- to ensure that information about UK higher education is publicly available

#### *UK-wide framework*

Universities Scotland believes strongly that the Code should continue to be developed with and co-owned by the sector across the UK.

Fundamental change in the quality landscape is underway in England, but not in all nations of the UK. As such, we do not believe it is appropriate that major changes to the Code are being driven solely by English developments, and we are uncomfortable with the sense that this new Code has been designed to serve as a condition of registration for the OfS, rather than as a Code that works for the UK sector as a whole. We are also disappointed that development of the proposal has been rushed, without meaningful sector engagement prior to formal consultation, in contrast to past changes to the Code. Whilst we welcome the UKSCQA vision that the Code should continue to be “unifying for UK higher education” and “owned by the sector”, it is vital these core principles continue to be respected in practice.

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<sup>1</sup> UK Quality Code for Higher Education: General Introduction (<http://www.qaa.ac.uk/publications/information-and-guidance/publication?PubID=181#.WhRJ8opl-Uk>)

On the substance, the proposal as it stands does not meet the needs of Scotland's Quality Enhancement Framework. The Scottish approach to quality is rooted in a strong commitment to continuous enhancement and to working with students as partners. We have real concerns (as outlined in our response to Q2) that the omission of such key elements signals a disappointing lack of ambition that is out of step with the values and practice of the Scottish sector, as also of the UK sector as a whole.

The current proposal also stands to undermine the Code's role as an essential reference point for the Scottish sector. For example, our Enhancement-Led Institutional Review (ELIR) method requires Scottish institutions to map institutional policy and practice to the Code. This exercise has proved highly valuable to institutions as well as reviewers, but may become impossible if the Code is oversimplified. Similarly, ELIR requires sector alignment with the European Standards and Guidance (ESG). The Code as it stands supports this alignment, but it is not clear that the proposed approach will continue to do so. (As we note in our response to Q2, ESG alignment is key to international comparability, and we believe it must be preserved in the new Code.)

Our understanding is that enhancement and student engagement are planned to be included in future via the supplementary practices. We are concerned, however, that this approach will diminish the significance of elements that ought to be embedded throughout the Code, and could be interpreted as suggesting that these are optional.

We are also troubled by the suggestion that the supplementary practices "may form part of the regulatory framework" in "some UK nations" but not in others. We have serious concerns about the implications of this for the UK-wide nature of the Code, and that the phased consultation approach will mean a lack of clarity for some time.

Likewise, the Scottish sector finds it very troubling that DfE's current OfS consultation<sup>2</sup> indicates that if the revised Quality Code is not deemed to be "suitable" it may not be used by OfS at all.

## **2. Do the revised Expectations appropriately express the outcomes students and stakeholders should expect from higher education providers?**

No. In order to protect UK-wide and international confidence in the revised Code, Universities Scotland would welcome a strengthening of the expectations and inclusion of core sector themes including student engagement and enhancement.

We note the stated intention of reshaping the Code in a "holistic" way and also that the UKSCQA vision for the Code refers to a "high minimum expected baseline". Universities Scotland wholly supports these aspirations.

In our view there are significant gaps in the proposal, however, and it is not clear to us that the revised expectations do continue to set a high bar. Universities Scotland has strong concerns that these changes could be interpreted – at home and abroad – as signalling a lack of ambition, or an erosion in quality and standards, that is clearly contrary to the values and practice of the sector.

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<sup>2</sup> *Securing student success: risk-based regulation for teaching excellence, social mobility and informed choice in higher education* (<https://consult.education.gov.uk/higher-education/higher-education-regulatory-framework>)

Student engagement is fundamental to UK higher education, and Universities Scotland believes strongly that this must be included amongst the expectations. In recognition of the importance of working with students as partners, there has been extensive work on this agenda across the UK, and specific bodies established to advance it, including sparqs (Scotland), Wise Wales (Wales), and the Student Engagement Partnership (England). Student engagement is an important and distinctive strength of the sector, and in light of the review's stated intention to "place students at the heart of the Code's focus", we believe it would be incomprehensible for it not to be embedded throughout.

Enhancement is another clear omission that must be addressed. As noted in response to Q1, Scotland's approach to quality places an explicit emphasis on enhancement. Moreover, whilst it may not always be articulated in the same way UK-wide, institutions strive towards continuous improvement across the UK, and this is essential to the quality of the UK higher education. We do not believe it is unreasonable to expect a commitment to enhancement as part of a "high minimum expected baseline". As highlighted in the ESG, "[a]t the heart of all quality assurance activities are the twin purposes of accountability and enhancement. Taken together, these create trust in the higher education institution's performance."

The proposal does not address externality, providing no reference to the essential role of external examiners or external participants in university governance structures, and also includes no mention of collaborative working with Professional, Statutory and Regulatory Bodies or other external partners. We believe this must be incorporated. The current draft also omits employability, a key theme in the Scottish sector and across the UK that should be addressed throughout the Code. This connects to a more general point: the proposed model seems to cover a much narrower range of the student experience and student lifecycle than the current Code, and we are concerned that this is a retrograde step.

Representation of equality and diversity in the proposal is also minimal – limited to a reference to "the admissions system" and included in a way that risks conflation with other issues. Whilst there are differences in policy detail across the devolved nations, widening access is a priority throughout the UK, and this ought to be reflected.

In sum, we believe all these areas – student engagement, enhancement, externality, employability, student experience and equality and diversity – are essential, and whilst Scottish institutions will continue to pursue these priorities in any case, we believe they should feature in the expectations for a sector that is ambitious for its students.

As the consultation recognises, the Code is vital not only for internal purposes, but also for ensuring international confidence in quality and standards of UK higher education and protecting our global reputation as a sector. We are not convinced the new Code will achieve this without significant strengthening, including references to the areas highlighted above, which international audiences are likely to expect.

Also, whilst the Scottish sector will continue to hold itself to high global expectations, we believe preserving international confidence in the Quality Code will require explicit references to quality and standards in transnational education and clear continuance of ESG alignment, in order to provide assurance of ongoing international comparability to our global partners. It is also critical, in our view, that this review process includes testing with international audiences in order to explore any other potential gaps.

**3. Are the core practices for standards appropriate and flexible enough to:**  
**a. Serve the needs of all nations in the UK?**

No. We believe the clarity of the core practices for standards could be improved, and that more explicit references should be added in relation to externality requirements.

*Core Practice 1*

This should be amended to reflect that different qualification frameworks are used across the UK, instead of referring to “the” qualification framework.

*Core Practice 2*

As currently worded, the meaning of this is unclear (including whether or not it means all students, what exactly is meant by “standards above the threshold level”, and how “reasonably comparable” is to be judged in this context).

*General*

- We believe more explicit references to externality are required in this section, and also that Part A should be retained to underpin it (as suggested in response to Q1).
- There a general lack of clarity as to whether these are intended to be “practices” (as the name implies) or “outcomes” (as the consultation document suggests) – currently it seems to be a mixture in this section, which has the potential to generate confusion.

**b. Serve the needs of an increasingly diverse sector?**

No additional comments.

**4. Are the core practices for quality appropriate and flexible enough to:**  
**a. Serve the needs of all nations in the UK?**

No. We support the stated intentions of ensuring clarity and reshaping the Code in a “holistic” way. To achieve these aims, we believe that the core practices for quality could be made clearer, and that explicit references should be added to areas including student engagement, enhancement, employability, student experience and lifecycle, and equality and diversity.

*Core Practice 1*

This should be amended to reflect that an institution will not necessarily “deliver” all the courses it “designs”. This core practice seems to restate the first expectation.

*Core Practice 4*

This provides the only reference to student engagement in the core practices, in the form of seeking “views and feedback” and providing “feedback in return”. It is unclear whether the latter is a reference to academic feedback or something wider. In any case, seeking views and feedback is not an adequate demonstration of working with students as partners. This core practice should be strengthened and/or complemented by others, in addition to including student engagement amongst the expectations.

### *Core Practice 5*

This should be amended to avoid placing a burden of responsibility wholly on students. Reference should be added to institutions ensuring information on relevant processes is made available. There are also processes beyond appeals and complaints that this may be applicable to (for example, special circumstances).

### *Core Practice 7*

This should be amended to clarify that institutional responsibility will depend on the full context of the partnership and partners involved.

### *Core Practice 8*

We do not believe admissions and support should be conflated into one core practice. Also, this should be amended to remove the inaccurate reference to students being “matched” to courses by institutions in admissions processes.

### *General*

- References to student engagement should be added in this section. Currently the fourth core practice provides the only reference and it is clearly inadequate, as outlined above.
- References to enhancement should be added in this section.
- References to equality and diversity should be added in this section.
- References to employability should be added in this section. Currently the sixth core practice provides the only reference to “achieving successful academic, personal and professional outcomes” and it is not clear why.
- The repeated references to the “academic experience” in this section should be broadened out to cover the wider student experience.
- References covering the full student lifecycle should be considered.
- Currently there is one reference to assessment in the core practices for standards, but none in the core practices for quality. More references should be considered.
- There is a general lack of clarity as to how terms such as “high-quality” and “sufficient” in this section are to be defined and demonstrated.
- As noted in response to Q3, there a general lack of clarity as to whether these are intended to be “practices” or “outcomes”.

#### **b. Serve the needs of an increasingly diverse sector?**

No additional comments.

#### **5. Does the proposal to develop supplementary practices outlined above: a. Serve the needs of all nations in the UK?**

No. In a nutshell, we believe that that enhancement should be embedded beyond the supplementary practices; that the supplementary practices should be applicable in equal way across the UK; and that the new Code should be consulted on as a whole.

Universities Scotland welcomes the recognition that “enhancement-led approaches” should be represented in the new Code. As noted in response to Q1, however, we are concerned that important drivers of quality across the UK, including enhancement and student engagement, are planned to be covered only in the supplementary practices and not embedded throughout the Code. We believe this approach will diminish the status of such elements and could be interpreted as indicating that they are optional.

Moreover, we are troubled by the statement in the consultation document that the supplementary practices “may form part of the regulatory framework” only in “some UK nations”. As indicated in response to Q1, we have real concerns that this approach will lead to fragmentation of the UK sector.

In addition, the phased consultation approach has the potential to result in a lack of clarity about the content and status of the supplementary practices, and about the overall coherence of the Code, for some time. If the supplementary practices are to be moved out of the main Code and into a separate section, it would have been more helpful to consult on the revised Code in full, to enable the sector to reflect on the coherence of the proposed model as a whole and not in a piecemeal fashion.

From the perspective of Universities Scotland officers, the detail in the current Code has proved to be of real value in providing a shared understanding of sector practice and an important basis for engagement with our stakeholders. We have concerns as a representative body that the phased approach to the consultation will lead (at least) to a transitional period during which we can no longer point to the Code for clarity when asked how institutions approach a particular issue, because the new Code will have been introduced in part, but without important detail.

On the content of the supplementary practices, these must be comprehensive and should cover, at minimum, the key areas that we identified in our response to Q2 - student engagement, enhancement, externality, employability, the student experience and lifecycle, equality and diversity, and transnational education.

As noted in response to Q1, however, we do not believe that developing something more streamlined requires designing a whole new Code from scratch. The existing Indicators have been developed collaboratively with the sector UK-wide over time, and are used widely by institutions and other stakeholders. We believe these could be revised to provide a useful basis for the supplementary practices, advice and guidance.

**b. Serve the needs of a diversifying sector?**

No additional comments.

**6. How should we involve the UK nations, the higher education sector, students and other stakeholders (such as graduate employers) in the future development and management of the Quality Code?**

As noted, Universities Scotland believes strongly that the Quality Code must continue to be co-owned by and developed in close partnership with the sector across the UK, and as such, we welcome the UKSCQA vision that the Code should continue to be “unifying for UK higher education” and “owned by the sector”.

It is vital these principles continue to be respected in practice, however.

We are concerned that this review has been driven wholly by the agenda of only one of the UK nations, in a rushed way, and without satisfactory sector engagement. This is contrary to the highly inclusive and collaborative approach to past reviews of the Code.

We note that the UKSCQA’s vision is also for the Code to be “agile and able to respond quickly to change” whilst also being “stable”. It is unclear to us how these principles will be balanced in practice. We do not believe a Code that changes frequently can be stable, and have concerns about the potential burden on both the QAA and the sector, as well as the potential impact on UK-wide and international confidence in the Code.