

Simon Batchelor,
Higher Education Directorate
Department for Business, Innovation and Skills
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Email to: HE.consultation@bis.gsi.gov.uk

23 January 2013

Dear Mr Batchelor,

Consultation on “Applying student number controls to alternative providers with designated courses”

At the Study UK Conference on 28 November 2012, the Minister of State for Universities and Science launched the consultation on the above subject. During that event, I raised concerns that the consultation document did not take into account the inspection of ‘mixed provision’ colleges who received their Educational Oversight (EO) inspection from authorised bodies other than the Quality Assurance Agency for Higher Education (QAA). A specific Framework for EO was devised by Independent Schools Inspectorate (ISI) and the criteria for assigning providers to ISI or QAA for inspection follows a formula agreed between ISI, QAA and UKBA. The Minister and his officials were unaware of these arrangements and so agreed to look into this further when developing the final scheme.

Having had the opportunity to consider the consultation document further and discuss with relevant colleagues, we provide the following points to assist your planning.

ISI’s concern is that the consultation does not appreciate that a number of private institutions, offering higher education as a minority of provision or as vocational training, are inspected for the purposes of EO by ISI or an equivalent body. In 2011, it was agreed by the EO bodies that where an institution offered provision which would make it eligible for inspection by more than one body, the provider was able to make an initial choice of how they wished to represent their institution, specifically as further or higher education settings, in line with their mission, purposes and values. ISI and QAA share information subsequently submitted in applications and cooperate to ensure that institutions receive the most appropriate form of inspection or review. Occasionally this means that some institutions are transferred for their EO inspections from one organisation to the other.

On the information available to us, around 80 colleges may be affected by the proposals. We are not able to determine how many students would wish, or be entitled, to take up student loans.

The recent announcement, and the suggestion that QAA review for EO is the only activity that will enable the quality assurance requirement to be met, will therefore put at a disadvantage those colleges which elected and were assigned to inspection by ISI rather than QAA review. We have already been contacted by a number of colleges who are concerned about future arrangements.

Additionally, requiring QAA review could have a number of unforeseen consequences. Firstly, colleges which are wholly unsuited to the QAA review process because the majority of provision is further education may be forced to switch EO body. This will then leave the further education provision uninspected, whereas under the current ISI system both FE and HE provision is inspected.

Also, a number of the affected providers are very small and run on a not-for-profit basis. Requiring additional inspection beyond that already undertaken may prove unsustainable for these institutions. If the policy aim is to restrict barriers to growth, then an alternative way forward needs to be found.

We would propose that an Educational Oversight report from any approved body be considered sufficient for the quality assurance component of the application process to be met. ISI inspection makes judgements against an agreed and specific set of educational standards that all providers, whether further or higher education must meet. Any additional requirements for the purposes of student finance arrangements would need to be separate from those agreed standards, though they may well be considered, in practice, at the same time as an EO inspection.

We would be pleased to discuss with BIS officials how additional safeguards could be put in place and any necessary protocols for information exchange between relevant organisations.

Please do not hesitate to contact me if you require any further information. I am copying this letter to the Minister of State for Universities and Science and the Minister of State for Immigration as I have raised the issues with them in recent weeks.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chyan', with a long horizontal flourish extending to the right.

Christine Ryan
Chief Inspector