



Simplifying Access to the Market: Degree Awarding Powers & University Title Part 1 - Degree Awarding Powers

5 Do you agree or disagree that the OfS should consider applications for New DAPs for research awards from providers without a three year track record of delivering higher education in England?

In view of the high level of risk to students that is posed by poorly managed PGR provision, this should only be possible in exceptional circumstances and the consideration of such applications should be subject to a stringent assessment process.

On the precautionary principle it would be wise to test the NDAPs procedure before extending it to RDAPs.

6 (With reference to the previous question) Are there particular circumstances where authorisations of this type would be appropriate?

The example given on page 20 of the consultation document (i.e. that of a 'well-established overseas provider with the equivalent of RDAPs') is the only conceivable case where authorisation of this type would be appropriate. This, however, assumes that research cultures in other jurisdictions outside the UK can be shown to be equivalent to those required of applicants for RDAP based in England. Again, a strong assessment process would be needed to justify any judgement of equivalence.

7 Do you have any comments on the proposed New DAPs test and associated processes? In particular, do you think these tests and processes provide appropriate safeguards whilst enabling high quality new providers to access DAPs?

The challenge presented by the New DAPs proposal is that, unless the initial assessment is conducted to exacting standards, students will suffer the consequences of failure. The challenge for OfS will be to have the initial assessment of the "project plan" submitted by the provider conducted with sufficient rigour and reliability that students registering with the provider can have confidence that they will be able to complete their studies and, if successful, achieve their award. The rigour of that process will, of course, depend to a significant extent on the qualifications and experience of those who are charged with undertaking the assessment.

8 Do you consider the proposals for monitoring a provider with NDAPs during the probationary period to be adequate and appropriate?

Yes, subject to the caveat that monitoring during the probationary period is conducted at the same (or at a higher) level of rigour as that for providers seeking "full authorisation". As with the previous question, review/monitoring must be undertaken by reviewers with sufficient expertise, experience and credibility for their assessments to be relied upon.

9 Do you agree with the proposals for the OfS and providers to best ensure that students are aware of what type of degree awarding powers, including New DAPs, a provider has? If you think there should be additional information requirements, please give details.

The status of the provider will need to be clearly stated in all marketing materials and on its web site, with a link to a supporting statement on the OfS web site that clearly explains how the status of any award by the NDAPs provider is assured by OfS and its agents.

10 Do you agree or disagree with the suggested change regarding the possible variation of the level 6 TDAPs criterion?

The Framework for Higher Education Qualifications distinguishes awards at Level 6 from those at a lower-level. The delivery of provision at Level 6 presupposes that staff have a postgraduate qualification enabling them to introduce students to work that is at the forefront of their discipline.

If the proposed change were to be implemented, a provider that has experience of only delivering Level 6 awards in a specific subject area would be empowered to validate and offer awards across the full range of disciplines, including some for which it does not have appropriately qualified and experienced staff. It would be necessary, therefore, for there to be very clear evidence that the provider has (1) understood what is required to provide a higher education "academic experience" and ethos for students, (2) allocated the human and material resources to make this available, and (3) has an internal validation procedure that is capable of ensuring that the first two conditions have been met.

11 (With reference to the previous question) If the 50% criterion is to be disapplied in some exceptional cases, what factors do you think the OfS should take into account when determining whether an application is an exceptional case?

The 50% criterion should not be misapplied. It is debatable whether a student who is surrounded by FE students and following an HE course in a predominantly FE environment will have an HE "academic experience" however that is defined.

12 Do the application processes for DAPs sufficiently align with the registration processes and conditions?

The test to be applied to a provider applying for DAPs under Criterion A1 with respect to academic governance arrangements that are capable of sustaining academic standards and the students' "academic experience" (however defined) should be stated as part of the Conditions of registration.

Part 2 - University Title

13 Do you agree or disagree that for providers that have obtained DAPs on an exceptional basis without having the majority of higher education students at level 6 or above (as proposed

in question 6), the 55 per cent criterion for University Title should be adjusted to additionally require the majority of higher education students to be on courses at level 6 or above?

In general we agree with the position in the consultation document, that the holder of a university title should clearly be a higher education institution; that requires that the greater part of the student body of an institution with university title should be working towards Level 6 qualifications and above.

14 Do you agree or disagree that student numbers, for the purposes of the 55 per cent criterion for University Title, should be calculated based on the intensity of study, disregarding the mode of study? Please give reasons for your views.

Providers that have achieved DAPs should be enabled to deliver their provision in ways that best suit their students and their needs

15 (With reference to Question 14) Do you have any views on how students on accelerated courses should be taken into account, when calculating the percentage of higher education students at a provider? Should these students be counted as 1 FTE, or more?

At this stage in the evolution of the HE system, the proposal to promote the development of accelerated courses is controversial. Thus, for the time being (and until concerns about the quality, standard and international acceptability of accelerated courses have been allayed) there should be no additional incentive for new awarding bodies to offer courses of this type. For this reason students on accelerated courses should not be counted as more than 1 FTE.

16 Do you agree with this assessment of the factors that should be set out in Secretary of State guidance to which the OfS must have regard to when determining applications for University Title? If you disagree, please give reasons. If you believe any additional factors should be included please indicate what these are with reasons.

The last factor - the number of FTE higher education students should exceed 55% of the total - is particularly important if university title is to remain meaningful.

Part 3 - Post-award issues

17 Do you agree or disagree with this proposal of implementing the statutory provisions that allow for the revocation of DAPS and university title and the variation of DAPS?

We think it would be unwise to fetter the discretion of OfS to remove DAPs where failings are egregious, wherever they occur.

Annex A – The detailed DAPs criteria

19 Do you have any comments on the proposed DAPs criteria as set out in Annex A? Are there specific aspects of the criteria that you feel should be adjusted in light of the OfS' overall regulatory approach, in particular ongoing registration conditions?

We welcome the weight and prominence given to academic governance.

20 Do you have any comments on the proposals for the assessment of applications for subject specific and Bachelor's only DAPs? Are there specific aspects of the criteria that you feel would either be particularly relevant or not relevant for either of these types of DAPs?

It will be essential for applications to be assessed by acknowledged subject/discipline experts who should be chosen on the same basis and with same care as members of REF panels.

21 Do you have any comments on how a subject should be defined for the purpose of subject specific DAPs?

The HECoS system should be used so that applicants are clear about the focus of the provider and can compare its offerings with providers offering similar courses/programmes.