

**Reviews Group:
Access to Higher Education**

Open College Network
Oxford, Thames and Chiltern Ltd

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Foreword

1 The Quality Assurance Agency for Higher Education (QAA) is responsible to the Department for Innovation, Universities and Skills for the recognition of Access to Higher Education (HE) courses. QAA exercises this responsibility through a national network of Access validating agencies (AVAs), which are licensed by QAA to recognise individual Access to HE courses, and to award Access to HE qualifications to students. The AVAs are responsible for implementing quality assurance arrangements in relation to the quality of Access to HE provision and the standards of student achievement. QAA has developed a scheme for the licensing and review of AVAs, the principles and processes of which are described in the *QAA Recognition Scheme for Access to Higher Education in England, Wales and Northern Ireland*. The Recognition Scheme is regulated and administered by the Access Recognition and Licensing Committee, a committee of QAA's Board of Directors.

2 The Access Recognition and Licensing Committee is responsible for overseeing the processes of AVA licensing and periodic review and relicensing. The criteria applied by this committee and by review teams operating on the Committee's behalf, in reaching judgements about whether, and under what terms, an AVA licence should be confirmed or renewed, are provided within the Recognition Scheme documentation. These criteria are grouped under the four principles that provide the main section headings of this report.

3 Following an AVA review, a member of the review team presents the team's report to the Access Recognition and Licensing Committee. The Committee then makes one of four decisions:

- i **unconditional confirmation** of renewal of licence for a specified period
- ii **conditional confirmation** of licence with conditions to be met by a specified date
- iii **provisional confirmation** of licence with conditions to be met and a further review visit by a specified date

iv **withdrawal** of licence for operation as an AVA.

4 This is a report on the review of Open College Network Oxford, Thames and Chiltern Ltd (OCNOTCL). QAA is grateful to OCNOTCL and to those who participated in the review for the willing cooperation provided to the review team. The commendations, recommendations and conditions of licence resulting from the review are given in paragraphs 98-101.

The review process

5 The review was conducted in accordance with the process detailed in the *QAA Recognition Scheme for Access to Higher Education in England, Wales and Northern Ireland*. The preparation for the event included an initial meeting between OCNOTCL representatives and QAA's Assistant Director to discuss the requirements for the overview document (the overview) and the process of the event; the preparation and submission by OCNOTCL of its overview, together with a selection of supporting documentation; a meeting of the review team to discuss the overview and supporting documentation and to establish the main themes and confirm the programme for the review; and negotiations between QAA and OCNOTCL to finalise other arrangements for the review.

6 The review visit took place on 13 to 15 October 2008. The visit to OCNOTCL consisted principally of meetings with representatives of OCNOTCL, including AVA officers; members of the Board, the Quality Assurance Committee, the Access Subcommittee; moderators for Access to HE programmes; Access to higher education providers; and local and regional stakeholders.

7 The review team consisted of Dr Elizabeth Briggs, Professor Brian Anderton and Mr Alan Smith. The review was coordinated for QAA by Professor Chris Clare.

The AVA context

8 OCNOTCL is a company limited by guarantee and a registered charity with its head office in Amersham. It was formed by the merger of Open College Network Oxford and Chiltern Region with Thames Region Accrediting Consortium and Open College Network in 2005, following a series of organisational mergers in these regions over the preceding five years. OCNOTCL has operated as an independent organisation since ending its association with the National Open College Network in 2006. It was awarded a provisional AVA licence in November 2006.

9 OCNOTCL's AVA work involves Access to HE providers and higher education institutions across a number of regional development agency regions, including London, the South East, South West and East of England. OCNOTCL is also engaged in the award of other credit-based qualifications, and has developed a franchise arrangement with the Open College of the North West to offer its qualifications in the South of England. In addition, it opened an office in Gateshead in January 2008.

10 Following the granting of the provisional AVA licence, progress has been made in meeting the strategic aims of the OCNOTCL Business Plan, including implementing the Access to Higher Education Diploma. Over the same period, it has also made significant developments in quality assurance processes which are described and supported by documentation published in its Access to Higher Education Guide to Policies and Procedures.

Membership and provision

11 OCNOTCL characterises itself as having a large and diverse membership, operating across a range of sectors, and members include public sector groups and services, and private enterprises. The overview document reports that OCNOTCL has a total membership 234, including 20 Access to HE providers, most of which are further education colleges in the region, and five higher education institutions

(Brunel University, Buckinghamshire New University, Ruskin College, Thames Valley University and the University of Bedfordshire). Oxford Brookes University is not a member of the AVA but provides support through the involvement of a member of its staff in OCNOTCL governance. Membership of the AVA has fluctuated since the merger, with some organisations leaving, another leaving and returning, and others joining for the first time. In comparison with its 20 providers in 2008-09, the AVA had 17 providers in 2007-08, 19 in 2006-07 and 25 in 2005-06.

12 The AVA has built on the experience and achievements of its predecessor organisations to provide a portfolio of Access to HE programmes aimed at widening participation and providing a preparation for higher education. The provision is intended to be relevant to regional employment needs, as well as higher education progression. The broad curricular offer includes Access to HE programmes in healthcare, nursing and midwifery, caring professions, teacher education, social sciences, humanities, science, art and design, accounting, business, law, computing, and a range of combined studies areas.

13 Approximately 35 per cent of OCNOTCL's learners are registered on Access to HE programmes. The success rate for registered students who achieved the full Access to HE qualification was 50 per cent in 2006-07, with a further 21 per cent having achieved partial accreditation and 12 per cent continuing their studies. The AVA's student profile indicates appropriately diverse backgrounds and age ranges.

AVA statistics 2006-07

14 The AVA reported the following statistics in its annual report for 2006-07:

Providers offering Access to HE programmes	19
Access to HE programmes available	46
Access to HE programmes running	30
Access to HE learner registrations	1,777
Access to HE certificates awarded	890

Principle 1

The organisation has governance structures which enable it to meet its legal and public obligations, to render it appropriately accountable, and to allow it to discharge its AVA responsibilities securely

Constitution, legal identity and purpose

15 OCNOTCL is incorporated under the *Companies Acts 1985 and 1989*. The Memorandum and Articles of Association detail the constitution, objects and powers of the company, entitlements of members, governance structures and procedures for decision-making. The aims of OCNOTCL in relation to its AVA responsibilities are congruent with the overall purposes and aims of QAA's Recognition Scheme for Access to Higher Education.

16 The Memorandum and Articles of Association provide for independence in decision-making and the operation of the AVA, and the AVA has the power to enter into contracts in pursuit of its objects. The decision to incorporate the AVA as a company limited by guarantee was taken in 2003 under legal advice, and further legal advice has been taken in relation to the mergers of the constituent open college networks, and the redrafting and updating of the company's Memorandum and Articles of Association. However, it is a condition of the AVA licence that OCNOTCL amend the company's Memorandum and Articles of Association to refer to 'Access Validating Agency', replacing the current terminology 'Authorised Validating Agency'.

Governance structure

17 The governance structure of OCNOTCL and its AVA role is located in three committees.

- The Board of Directors forms the Governing Council of OCNOTCL, and is the overarching strategic planning and policy-making body of the company. The Board must have a minimum of four members and may have up to 12 members and their

appointed chair. Membership of the Board is prescribed, and it must include at least one member from a higher education institution in membership of OCNOTCL and at least two members from further education organisations. All full members of OCNOTCL are entitled to nominate a representative for election to serve as a Director. The Articles of Association do not contain a statement of formal terms of reference for the Board, nor do terms of reference for the Board (Governing Council) exist elsewhere. Members of Governing Council were clear in their view that the locus of authority for AVA responsibilities within OCNOTCL lay with the Governing Council, although there is no specific statement to this effect in the Memorandum and Articles of Association or other formal constitutional documentation (see also, paragraph 76).

- The Quality Assurance Committee reports to the Board of Directors and its remit covers quality assurance matters relating to all aspects of OCNOTCL's work, not only that of the AVA. Membership comprises up to 13 members and a chair, with a minimum of six members. Membership should include at least one and up to two higher education institution members, up to four and at least two further education members, and one voluntary sector member. At the time of the review, the Quality Assurance Committee had seven members including the chair and its composition aligned with the requirements of the Articles of Association. The Quality Assurance Committee has an extensive remit which includes responsibility for quality assurance matters in relation to Access to HE and ensuring the company conforms to the requirements of QAA with respect to its role as an AVA. The Quality Assurance Committee should meet at least three times in each year, and a quorum is four members drawn from at least two sectors. Substitutes are allowed at the Chair's discretion.

- The Access Subcommittee is solely involved with the AVA aspect of OCNOTCL's work. It reports to the Quality Assurance Committee in respect of the quality assurance of Access to HE and to the Governing Council (Board of Directors) with respect to financial, organisational and management issues relating to Access to HE. Membership comprises up to 12 members, with a minimum of six, and is drawn from staff of full members of OCNOTCL who are either current Access to HE providers or higher education institutions. At the time of the review, the Access Subcommittee had nine members including the chair. The Access Subcommittee has an extensive remit which includes advising the Board of Directors on matters relating to the AVA licence; appointment of external moderators to Access to HE providers and receipt of moderator reports; confirmation of recommendations from recognition panels for Access to HE programmes; receipt of annual monitoring reports from Access to HE providers; and oversight of the annual report of the AVA for approval by the Board of Directors. The Access Subcommittee should meet at least three times each year. A quorum is four members drawn from two sectors and two institutions, and substitutions are allowed at the Chair's discretion.

Operation of governance structure

18 OCNOTCL is required by its Articles of Association to hold an annual general meeting of members, normally in December. The business of the annual general meeting includes receipt of the company's annual report, confirmation and approval of the appointment of the Board of Directors and Quality Assurance Committee, and receipt of the company's accounts. The Articles specify that 'No business shall be transacted at any [general] meeting unless a quorum of members is present', a quorum being defined as at least 10 per cent of the full members entitled to vote. The Articles also specify actions to be taken if the meeting does not achieve a quorum. The review team

noted that, other than the members of the Governing Council itself, there were no members present at the annual general meeting held in December 2007 and that the meeting was therefore inquorate. The Articles state that all members should send a representative to the annual general meeting and this commitment was not honoured. As a condition of licence, OCNOTCL is required to ensure that quorate annual general meetings of the AVA are held, in accordance with the Memorandum and Articles of Association.

19 At the time of the review, the Governing Council comprised six members, this number having fallen from eight since the AVA licensing meeting in 2006. The long-standing Chair of the Governing Council had recently resigned that post, necessitating the appointment of a new chair. The team asked whether the current size and composition of the Governing Council was sufficient to enable it to discharge its responsibilities in relation to governance of the AVA. Members of the Governing Council stated that they believed there was merit in maintaining a smaller Council since this facilitated regular attendance of members at Council meetings, which was more important than broadening the membership, and they believed that, collectively, they had sufficient experience and expertise to ensure sound governance, including the proper financial management of the AVA. The team accepted this view but recommends that OCNOTCL keep under review the size and structure of the Governing Council to ensure that there is sufficient and appropriate experience and expertise in relation to the responsibilities associated with its AVA licence.

20 In examining the operation of the governance structure, the review team noted a discontinuity between the dates of committee meetings and the responsibilities of these committees within the annual academic cycle. As an example, the Governing Council had met on 27 October 2006 and had not been scheduled to meet again until 18 January 2007. However, during this period the annual report would have been due for submission to QAA,

and it was the responsibility of the Governing Council to approve and sign it off. The team sought to confirm whether the scheduling of meetings continued to pose problems for the approval of the annual report in the current year but was told that, as a result of the change of chair (see paragraph 19), the Governing Council had not published a schedule of meeting dates for 2008-09, preferring to operate a rolling programme of meetings when Governing Council members were available. During the course of the team's visit to the AVA, however, the team was shown a draft of committee meeting dates for 2008-09, with a meeting scheduled during November to approve the annual report to QAA. While a meeting at this point would allow the report to be formally approved, the team noted that there were no Access Subcommittee or Quality Assurance Committee meetings scheduled at a time to enable the proper consideration of the QAA report, and the next scheduled meeting for the Access Subcommittee, which has responsibility for the oversight of production of the annual report to QAA as part of its remit, was not until early 2009 - after the deadline for submission of the report to QAA and the date for its approval by the Governing Council. The team was told that members of Access Subcommittee may have the opportunity to see and comment on the report before it was submitted, but it was confirmed that there would not be an opportunity for the report to be considered at a formal meeting. The same schedule of autumn meetings is proposed for 2009-10. As a condition of licence, OCNOTCL is required to ensure that the cycle of meetings of the governance committees is synchronised to meet internal and external business deadlines (see also, paragraphs 38, 55).

21 The review team was concerned to see that in relation to the subordinate committees in the governance structure, there had been major difficulties relating to quoracy of meetings and cancellation of meetings over the last two years. The Quality Assurance Committee had no meetings between September 2006 and April 2008, and the team noted that neither the September 2006 nor the

April 2008 meetings were quorate. As this is the committee to which the Access Subcommittee reports and which is responsible for the quality of Access to HE provision in the AVA, this was considered by the team to be a critical omission. Similar problems had arisen with the Access Subcommittee where the team noted a gap between the meeting in May 2007 and the meeting in September 2008 which was, in any case, attended by only one member.

22 The review team met members of the Quality Assurance Committee and sought to understand how the extensive remit of the Quality Assurance Committee (see paragraph 17) had been discharged over the preceding two years when the Committee had not met. Members of the Quality Assurance Committee agreed that there had been major problems in calling quorate meetings, and the committee chair indicated that during this time she had maintained contact with the Assistant Director, Quality and Development, and that she had undertaken a form of 'chair's action'. The team considered that this approach, although understandable, was not an effective substitute for full discussion and decision by the Committee. The chair indicated that several ways of overcoming the quoracy problem had been discussed. These included teleconferencing, but that depended on committee members having appropriate resources available to support this; reducing the frequency of meetings from three to two each year, but this would require a change to the terms of reference in the Articles of Association; and evening meetings, but the wide geographical spread of committee membership precluded this. Consideration had also been given to merger of the Quality Assurance Committee and the Access Subcommittee, but the Quality Assurance Committee had an OCNOTCL-wide remit while the work of Access Subcommittee focused only on Access to HE, so it was felt better to maintain the separation of the two committees. In its overview, the AVA acknowledged that, by failing to hold meetings of the Quality Assurance Committee, it had not complied with the requirements of its constitution. It indicated that a schedule of meetings for both the Quality

Assurance Committee and the Access Subcommittee had been set down for 2008-09, and a revised membership recruited to both committees. However, in discussions with members of the Quality Assurance Committee and the Assistant Director, Quality and Development, the team formed the view that a significant problem in the quoracy of the Quality Assurance Committee had arisen from reluctance on the part of some members of OCNOTCL to release their staff to attend. The team considered that as part of the AVA's responsibilities in ensuring effective governance, it would be beneficial for the AVA to remind members that an obligation of their membership was to release staff to serve on appropriate committees. The team also noted that the terms of reference of the Quality Assurance Committee permitted substitutions where a committee member could not be released to attend meetings.

23 In the period since the QAA licensing visit in 2006, the Access Subcommittee also experienced problems of quoracy and lack of meetings, although the scale had not been as great as for the Quality Assurance Committee. The review team noted that even in its most recent meeting, in September 2008, a quorum of members had not been present and that the minutes of the meeting and supporting papers had been sent forward to the Quality Assurance Committee for confirmation. While recognising the problems of quoracy which the Access Subcommittee had encountered, the chair believed that the committee had correctly focused on matters relating to quality assurance following the merger of the constituent open college networks. However, he believed that matters such as moderation and programme validation were now secure, and it was time for the Access Subcommittee to become more proactive in relation to strategic planning. He recognised the problems posed by the extended geographical area over which the AVA operated, but felt that the geography had to be 'managed'. He believed that subregional forums would be one way to secure more engagement from members with the forums feeding in to the Access Subcommittee. The team supported this approach (see paragraph 46). The overview

makes reference to 'Practitioner Forums' but it was not clear to the team that these were linked to the operation of the Access Subcommittee.

Committee oversight

24 The review team asked how the Governing Council maintained oversight of its subcommittees in the governance structure. It was told the Governing Council received and reviewed the minutes of these committees. The team asked members of the Governing Council whether they had been aware of the development of the problem with committee meetings over the last two years and, if so, what action the Governing Council had taken. They had been informed of the failure of committees to meet, although they conceded this was not reflected in the minutes of the Governing Council. Governing Council members agreed that the subcommittees had a very wide remit but they indicated that they relied on the Access to HE officers for the day-to-day working of the AVA. They had also utilised informal links to oversee the problem and the Governing Council had itself substituted for some of the work not undertaken by the subordinate committees. The team was satisfied that this approach had enabled the Governing Council to maintain its overview of the business of the AVA in the short term, but considered that it was not a satisfactory substitute for the operation of the agreed governance structure.

25 The review team asked members of the Quality Assurance Committee about its oversight of the Access Subcommittee. They were told that the Quality Assurance Committee would receive the minutes of the Access Subcommittee, and understanding of the work of the Access Subcommittee was helped by a degree of overlapping membership between the two committees. The chair of the Quality Assurance Committee told the team that she had not been made aware of the fact that there had been no meetings of the Access Subcommittee during 2007-08. However, as there had been no meetings of the Quality Assurance Committee over this period, other

than that on 10 April 2008, no Access Subcommittee minutes would have been needed for presentation to the Quality Assurance Committee.

26 In the light of the problems experienced by the AVA with the operation of its committees, it is a condition of licence that OCNOTCL should ensure that quorate meetings of the Quality Assurance Committee and the Access Subcommittee take place in accordance with the Memorandum and Articles of Association. The review team also observed that the terms of reference for the Quality Assurance Committee and the Access Subcommittee were currently a formal part of the Articles of Association of the company, and that this made regular review and updating a cumbersome process, requiring a formal change to the Articles. Therefore, it is a recommendation that in reviewing its Memorandum and Articles of Association, OCNOTCL consider removal of the detailed terms of reference for the Quality Assurance Committee and Access Subcommittee to allow greater flexibility in their maintenance.

Records of committee proceedings

27 In order to review the AVA's governance and decision-making in relation to Access to HE matters, the review team considered minutes and selected papers and met members of the Governing Council. The Governing Council held a number of meetings during the year, including one when it considered overall strategy. However, not all of the Governing Council's discussions were formalised into papers presented at the Governing Council meetings, and the strategy meeting was not included in the normal Governing Council minutes. The team was told that this was because discussions were more action-oriented. The Governing Council told the team that they received much information informally which would not necessarily be documented in its minutes. The team also noted a lack of detail in the minutes of Governing Council and committee meetings, and it considered that minutes were frequently not sufficient to inform

anyone not able to attend meetings of committees' discussions or decisions, or as a formal auditable record of the AVA's decision-making. As a condition of licence, OCNOTCL is required to ensure that all AVA-related matters are reported fully in the minutes of the Governing Council and committees within the governance structure (see also paragraph 36).

28 In addition, in the version of the Governing Council minutes presented to the review team, a number of items in the minutes had been marked 'confidential' and removed, and supporting papers for the Governing Council meetings provided to the team had similar omissions. Governing Council members stated that confidential material referred to matters which touched on other aspects of the work of OCNOTCL, although Access to HE matters may be embedded within them. The team was told that these had been identified as being too commercially sensitive for the team to see and had therefore been deleted. The team was told that the material with which it had been presented was sufficient for it to form a judgement as to whether the licensing criterion relating to sound governance and informed decision-making was being met. However, the team considered that it was important that all material discussed in and presented to the Governing Council which may pertain to Access to HE should be made available (see paragraph 36) to allow it to make this judgement. The AVA should note the requirements of the standard conditions of AVA licence with respect to the provision of information to QAA about the AVA and its activities.

Principle 2

The organisation is able to manage its AVA responsibilities effectively, and to maintain an appropriate structure to support them

Strategic and operational planning

29 The AVA overview states that the organisation operates a three-year strategic planning process which is formalised through the governance structure and that this is

supported by annual operating targets. The strategic plan takes into account national and regional issues relating to Access to HE, as identified by the officers of the AVA and by the Governing Council at its annual strategic planning day (see paragraph 27).

30 The AVA's three-year Strategy for the Promotion and Development of Access to Higher Education provision 2007-2010 has four strategic priorities, under which its operational targets are grouped. These four priorities relate to increasing student numbers and the diversity of provision; being acknowledged as a source of leadership and expertise on Access to HE matters within its regions; enhancing the quality of Access to HE; and promoting it through a well-resourced communication strategy. The operational targets for 2007-08 were allocated to various members of staff with target dates for achievement. Of 29 targets set, only five had been completely met during the year, 10 partially met and 12 not met at all. The remaining two were marked as 'other involvement'.

31 Discussions between the review team and the chair and members of the Access Subcommittee indicated that the committee had greater involvement in monitoring the operational plans than in their initial development. It was explained that in the early years of the new AVA, the committee had been concentrating on the quality assurance issues related to Access to HE. It is a condition of the licence that the AVA should review and redevelop the strategic planning process for Access to HE to ensure that appropriate and effective use is made of the governance committees and the views of stakeholders.

Risk assessment

32 The review team could find no evidence that the risks associated with the expansions anticipated in the strategic plan had been fully assessed. The team was concerned that, especially given the current low level of involvement of the providers in the activities of the AVA, the cumulative effect could be that AVA staff with responsibility for Access to HE would have to deal with increasing levels of

work to maintain the licence, with little support from committees or members. In this context, the team had particular concerns about the proposed Access to HE developments through the Gateshead office. At its meeting with the Board of Directors, the team was told that it was the AVA's ambition to offer Access to HE through providers in the North East of England in the future, as part of its overall expansion plans (see paragraph 9). However, the status of this intention was unclear to the team, as it was not mentioned in the AVA's strategic or operational plans or in any other papers made available to the team, and there was no indication of any consideration of the impact and risks of this development or its implications with regard to the AVA licence. It is a condition of licence that the AVA provide a clear statement of the AVA's intention with regard to expansion of Access to HE provision in the north east. Should the AVA intend to undertake such expansion, the statement is to include a review the risks of, and the staffing and other resources required for, any such expansion, in order to ensure that all Access to HE provision remains fully and adequately supported.

33 The review team asked how the Governing Council approached risk management on behalf of OCNOTCL. They were told that risk management was not a standing item on the Governing Council's agenda although the Governing Council had engaged in risk analysis in the past. No formalised risk register was maintained. It is a condition of the licence that the AVA establish procedures for monitoring and assessing potential risks to its activities.

Self-assessment

34 The overview indicates that the main vehicles for self-assessment are the annual report to QAA, together with the monitoring of the strategic and operational plans. The review team was unable to identify evidence of any overt monitoring of committee performance against their terms of reference or of anything else that would lead to an improvement in organisational quality or leadership.

35 The review team asked how the effectiveness of the Governing Council as part of the governance structure of the AVA was monitored. It were told that, at the strategic planning day, the Governing Council considered such issues as the size, membership, attendance levels and balance of the Governing Council. As there are no clear terms of reference for the Governing Council (see paragraph 17), there is no formal remit or other formal statement of the Governing Council's responsibilities against which its performance might be monitored. The chair of the Quality Assurance Committee told the team that, had there been meetings of the Quality Assurance Committee, it would have reviewed progress against its terms of reference.

Committee support and administration

36 The review team noted concerns expressed by the initial licensing team in its 2006 report concerning the presentation of minutes and a recommendation that the AVA adopt standard professional practice for minuting discussions. While noting some improvements in the quality of minuting, the present team identified a number of areas where standards of minuting still fell below what might be expected of a professional organisation. As well as its concerns about the completeness of the minutes (see paragraph 28), the team noted that standard information was sometimes missing, including details such as the full date and attendees; sections were not always adequately numbered; there was an informality in the identification of participants at meetings; there was a lack of consistency or house style in the preparation of agendas and minutes; and there was a lack of cross-referencing of associated papers relating to the minutes. Therefore, as a condition of licence, OCNOTCL is required to develop professional practice for setting agendas and for minuting meetings of all committees, ensuring that there is cross-referencing between agenda items, papers and minutes.

Financial regulation, management and scrutiny

37 The budget relating to AVA activities is not separated from that of the organisation's other activities, other than in QAA's report for 2006-07 when it was required as a 'special appendix'. The review team was told that there were few clearly identifiable budget headings that could be related to the work of the AVA other than learner registration charges and the external moderation of Access to HE programmes. Other costs have to be proportioned from the main budget headings. The team considered that the AVA could benefit from knowing how its Access to HE related expenditure compared with its income and that a more systematic recording of AVA expenses would allow it to undertake a more thorough analysis of risks and opportunities associated with changing Access to HE numbers. The team therefore recommends the AVA to develop an Access to HE-specific budget.

38 There is no finance committee and all budget monitoring is carried out by the Chief Executive who then reports to the Governing Council. The Governing Council receives regular updates of various issues relating to the operation of the AVA including budget updates, although detail in the minutes is sparse. The financial statements and accounts are externally audited. However, the review team noted that OCNOTCL had not met deadlines for the production of its annual accounts to accompany its annual report to QAA for the last two years and, at the time of the visit by the team, the audited accounts for 2007-08 were not yet available. In addition, the team found it difficult to understand how the annual general meeting on 18 December 2007 agreed to the annual accounts which were not signed off by the auditors until 21 December 2007, and why on 25 March 2008, the AVA wrote to QAA stating that the accounts were not yet available. The members of the Governing Council whom the team met were unable to comment on this. As a condition of licence, OCNOTCL is required to ensure its annual report to QAA incorporates the audited financial statements and that the report

is considered and approved by the Governing Council within the agreed deadlines.

Management, staffing and physical resources

39 The organisation has recently undergone a review and revision of the staffing structure and a move to new headquarters in Amersham. The revised staffing structure is designed to make the organisation more effective and efficient in its business operations. The organisation gained the Investors in People award in April 2008. There are now four staff with AVA-related responsibilities, two of whom are very recent appointments. The new staff members are receiving training on a one-to-one basis from the Assistant Director, Quality and Development. They will need considerable time to gain appropriate knowledge and experience of AVA matters, so it is likely that this support will be needed for some time yet. This must concentrate the attention of the officer on the operational issues relating to the AVA rather than the longer-term strategic matters which would normally be her priority. There was unstinting praise from providers for the support given to them by the Assistant Director, Quality and Development, and the review team commends this contribution to the work of the AVA. However, the team noted that the responsibility for Access to HE is only one of 16 responsibilities on the job description for the post. From the evidence presented by the AVA, the team considered that the member of staff responsible for AVA activities, the Assistant Director, Quality and Development, was overstretched in their responsibilities.

Communication with stakeholders

40 Communication with stakeholders is effected through the Access to HE Guide to Policy and Procedures (see below), occasional meetings, personal visits by the Assistant Director, Quality and Development, by the website which is undergoing redevelopment, and by email. The stakeholders told the review team that they were kept up to date with changes to regulatory matters, such as the new

Access to HE Diploma and grading. It was not clear, however, how providers were made aware of their obligations as members the AVA and as approved providers of Access to HE programmes (see paragraph 22). Difficulties in obtaining the engagement of providers in standardisation events and committee meetings indicate that this is an area that the AVA needs to address as a matter of urgency.

41 In 2006, the AVA published a new Access to Higher Education Guide to Policy and Procedures for providers which is accessible through its website. This publication details AVA procedures for the development, approval and review of programmes for providers, moderators and AVA staff and contains most of the required documents necessary to apply for, operate and quality-assure Access to HE programmes with the AVA. The review team heard from programme coordinators, tutors and external moderators that the guidance and templates provided, assisted them in such processes as programme submission, validation and review. The AVA is commended for the helpful and supportive documentation provided in the Guide to Policy and Procedures, and for the quality and clarity of this publication.

Data collection and management

42 Since the separation of OCNOTCL from the National Open College Network, the organisation has developed its own database, based on a structured query language relational database. This enables the AVA to register and track learners and their achievements. The database maintains a record of units and of the combination of units required for any pathway in order to achieve an Access to HE qualification. The units themselves are held on the database and will be accessed via a secure portal on the AVA website.

Monitoring providers

43 Responsibility for confirming the accuracy of providers' promotional literature is delegated to Access to HE moderators who are required to confirm this at each visit. This is monitored annually via the sampling of moderation reports

by the Quality Assurance Committee. Moderators' reports seen by the review team confirmed that providers' literature is accurate and in plain English. Monitoring the use of QAA's logo does not appear to be so clearly defined: the review team was told that providers would be given guidance on the use of the logo if they requested it. It is a condition of the licence that the AVA ensures the correct use of QAA's logo in line with the revised guidelines where it is used on provider documentation.

Principle 3

The organisation is able to assure the quality and fitness for purpose of Access to HE programmes at the point at which they are granted formal approval, and to have effective means to develop, evaluate and review the Access to HE provision for which it has responsibility

Programme development

44 The AVA has experience of programme development, validation and review through the work of its predecessor organisations. The procedures for programme development are detailed in the Guide to Policy and Procedures and are informed by the requirements of the AVA's Assessment Policy and Curriculum Development Policy and the Access to HE Diploma and Credit Specifications. The Curriculum Development Policy requires all programmes to be credit-based with the appropriate levels and credit values. The review team found evidence in the audit trails of the AVA's consistent approach to programme specifications and design, all of which showed the incorporation of common core units and programme-specific units, with rules of combination for individual pathways. The team also noted that submission documents contained a formal statement that QAA recognition may be given only to programmes delivered in the UK.

45 The guidance in the Guide to Policy and Procedures is enhanced by the support offered

by the Assistant Director, Quality Development, who meets staff in providers to discuss the programme submission process, completion of the necessary documentation and the requirements of the programme recognition process. This support helps to ensure that submission documents are complete and meet the necessary standards prior to the validation panel event. The AVA requires programme submission teams to consult with staff in relevant departments of at least two higher education institutions to ensure the appropriateness of the proposed curriculum for progression. Explicit statements of support from higher education institutions are not always apparent in validation and revalidation documentation and the review team recommends that the AVA ensures that higher education institution support is documented.

46 The AVA confirmed that providers were expected to identify and attract learners from groups in the community underrepresented in higher education, and the submission document requires a specific statement of the target learners for the programme and an explicit statement of programme design to attract under-represented groups in higher education in the UK. Access to HE coordinators told the review team that they were aware of this requirement, and the team was informed that, on one occasion, a programme submission had been unsuccessful partly because the provider was unable to demonstrate that the fees were affordable and also because the design of the programme neither met the needs of previously disadvantaged learners nor would attract underrepresented groups. In the absence of regular committee meetings and subregional forums for Access to HE providers, there was little to indicate that the AVA communicated any outcomes of analyses it may undertake to its providers, and providers whom the team met were unable to cite examples of guidance from the AVA with regard to community groups that should be contacted. However, one of the responsibilities of the new member of staff for communication is to produce a monthly newsletter for providers: this could help to

address this omission. The team recommends that the AVA continues to develop a proactive approach to the promotion of Access to HE and the targeting of groups under-represented in higher education, possibly through a subregional approach (see paragraph 23).

47 The audit trails also confirmed the use of the AVA templates for programme submission documents. The submission documents contain relevant information on programme administration; programme aims; resources including staffing; target groups; recruitment strategies; promotional literature; guidance given to applicants; selection criteria; learner support and counselling; opportunities for progression; programme structure; assessment strategies; detailed information on monitoring, evaluation and review; learner feedback; internal moderation; standardisation; and recording feedback to assessors. This information is provided with the units of assessment, the pathway plan and the programme specification.

Programme validation

48 One omission from the otherwise excellent Guide to Policy and Procedures is documentation relating to the composition of validation panels. Validation panel membership is outlined separately in guidelines issued to panel members. In the details of this procedure seen by the review team, there was significant confusion as to the membership of the panel. The guidelines state that panels are 'normally composed of the submitting tutor team, external members such as subject specialists, the proposed moderator, and other invited members'. Those submitting programmes for validation were considered to be 'participating members' of the panel and able to take 'an equal part in the process'. The team considered that this did not meet the requirement expressed in licensing criterion 3.3 and agreed that the criteria for panel membership and terms of reference of validation and review panels needed detailed clarification to ensure externality and objectivity, and to make clear, in particular, that the members of the submitting

team are not part of the validating panel. It is a condition that the AVA clarifies the criteria for the membership and terms of reference of validation and review panels, including providing a clear distinction between those submitting a proposal and those evaluating it, and incorporates these into the Guide to Policies and Procedures.

49 Conduct of validation panel meetings, scribed by an AVA officer, is described in the chair's guidance notes, which include a clear articulation of the purposes and possible outcomes of the process. Panel decisions are recorded by the AVA officer on a panel report form which lists conditions, recommendations and the recognition period. The normal approval period is a maximum of five years.

50 Panel decisions are subject to confirmation by the Access Subcommittee through delegated powers from the Quality Assurance Committee prior to the commencement of the validated programme. Audit trails confirmed the procedures for programme validation, although the review team was unable to find any substantive conditions because the documents available for scrutiny required only recommended textual changes. It was not clear from the minutes of the AVA committees that approval conditions had been tracked according to their stated policy. It is a condition of licence that the AVA ensures that all conditions relating to validation and revalidation are monitored and approved as being met by the appropriate AVA committee and that this is clearly reflected in the relevant committee minutes.

51 New units are validated by the same process as for full programme submissions, and are then added to the AVA's unit data bank. Where appropriate, providers are required to describe how the new programme submission gives students the opportunity to satisfy the requirements of relevant professional bodies. Providers are encouraged to make use of approved units in new programme developments. The AVA staff informed the team that they have considerable experience in supporting their providers through the

validation process and this was confirmed by tutors and programme coordinators.

52 Following confirmation by the Quality Assurance Committee, the AVA sets up electronic and paper programme files containing the definitive version of the programme with its assigned units and linked pathways. Units are flagged as invalid until the conditions of approval have been signed off. The Assistant Director, Quality and Development, is responsible for ensuring the integrity of programme files, and no changes may be made without written authorisation from the Assistant Director or a revised panel report. The review team considered that there was a robust system in place for minor amendments to units, which are referred to a formal validation panel. Permission to add units from the unit bank to existing programmes is considered by written request to a validation panel or to the Access Subcommittee for approval.

53 The AVA has a clear policy that providers must have been granted membership of OCNOTCL in order to apply for validation of an Access to HE Diploma programme.

Review and development of Access to HE provision

54 The AVA considers that the requirements of annual reporting to QAA assist it in ensuring that the Access to HE provision, for which it is responsible, is subject to a robust system for regular review and development.

55 The AVA uses statistics received from providers to compile its annual report to QAA. There were considerable difficulties in earlier years in obtaining this information from providers, so for the 2007-08 report, the AVA introduced a simple template for providers to complete and return to the AVA by early November. The review team was concerned about the timeliness of this deadline, in view of the mid-November date for the final approval of the annual report by the Governing Council (see paragraph 20), noting that very little time was allowed for the reports to be read, key

factors identified and extracted, statistics analysed and commentary to be prepared for inclusion in the report. The team considered that the AVA should look again at the timing of the outcomes of the providers' own course review process so that the information can usefully inform the AVA's own planning and reporting processes.

56 Although there is a requirement that annual self-assessment reports for programmes are completed and sent to the AVA for review purposes, the review team found no compliance with this policy in 2006-07 in the audit trail files, although two examples of annual programme reports for 2007-08 were provided to the team. The AVA specifies that annual programme reports should contain student feedback, and address the learner experience, participation, retention, achievement and progression. Providers are expected to identify strengths and areas of concern which form part of an action plan to inform the strategic planning process. The AVA permits its providers to customise their reports to suit internal requirements. In the two examples scrutinised by the team, the standard of programme evaluation was good. There was much valuable statistical information on achievement and success, including data on progression to higher education institutions within the region and nationally and analysis of target group participation. The AVA is aware that such reports are central to quality assurance processes and both the AVA and providers are aware that there should be a more robust and consistent approach to the annual monitoring process. The team agreed that the AVA was missing a vital aspect of regular review that contributes to reflection on programme delivery, enhancement and the ability to draw on good practice for dissemination. The team learnt that there were plans to improve compliance through monitoring by the Access Subcommittee during the current academic year so that the AVA was better informed about the quality and comparability of its programmes, and the AVA is endeavouring to improve collection of reports from all providers. It is a condition of licence

that the AVA continues to develop its procedures to ensure that providers comply with the requirement to submit annual programme reports and that these reports are scrutinised and acted upon by the AVA.

57 The review team noted that moderators' reports were evaluative and constructive, and provided a valuable source for the review of programmes. The AVA is able to monitor issues and concerns raised by its moderators at subject and centre level, and an overarching moderation report is prepared by an AVA officer for the Quality Assurance Committee, which provides useful information about assessment of standards achieved (see paragraph 71). Strengthening of the annual review of programmes process, which is linked to moderators' reports, will help the AVA to enhance and develop its programmes with a more strategic focus.

Development and promotion of Access to HE in the AVA's region

58 The AVA recognises that relevant curricular developments for the regional providers need to be informed by a wider pool of expertise than is available in its Access Subcommittee. It has plans to increase the number of practitioner forums and to launch a discussion area on the new website. A series of unit review subject group meetings will provide opportunities to enhance approved units and implement the Diploma grade descriptors. There are further plans to hold standardisation meetings involving practitioners.

59 The review team heard from an admissions tutor in a higher education institution about the positive arrangements to promote progression for under-represented groups in nursing and midwifery. The higher education institution is proactive in seeking to arrange interviews for Access to HE Diploma students and support them in the application process. The team noted that appropriate higher education progression routes are helping the AVA to widen participation for learners from diverse age ranges and disadvantaged backgrounds. The team was also informed that

the AVA and its providers ensured that equal opportunities policies are central to, for example, programme timetables and assessment schedules to support attendance and retention. The team was satisfied that the AVA's strategies for Access to HE are generally working effectively in existing providers within the region. The team concluded, however, that the Access Subcommittee should continue to develop a proactive strategy to Access to HE to target underrepresented groups, possibly through a subregional approach (see paragraphs 23 and 46).

60 The review team has some concerns that the AVA regional strategy may become overstretched if it pursues its plans to extend the scope of its activities into the North East of England (see paragraphs 9, 32). The AVA would benefit from further development activity in its more immediate region, and the AVA is encouraged to engage all of its local regional stakeholders, including the regional Learning and Skills Council, regional development agencies and MOVE (the Lifelong Learning Network for the East of England), in discussions to promote further Access to HE strategies.

Principle 4

The organisation is able to secure the standards of achievement of students awarded the Access to HE qualification

External moderation

61 The AVA processes for internal and external moderation are clearly described in the Guide to Policy and Procedures. The AVA has a clear and comprehensive statement of the definition and function of external moderation contained as an addendum to its Guide to Policies and Procedures. In its meeting with a group of moderators who act on behalf of the AVA, the review team formed the view that the role and function of moderation was well understood. External moderators are appointed by and under contract to the AVA. In its statement of criteria for the appointment of external moderators, the AVA makes clear the importance of being external to, and retaining

objectivity in relation to, the programme(s) with which a moderator is involved. This is reinforced in the contract between the AVA and its moderators, in which moderators are required to disclose on an annual basis any interest in an OCNOTCL-accredited programme which might compromise the moderator's independence.

62 As part of their responsibilities, external moderators are asked to verify that internal moderation of standards has taken place. External moderators will typically see work from different tutors and possibly from different providers. The AVA believes this enables them to discuss and advise on matters of consistency relating to assessment. Moderators are required to select their own samples of student assessed work for moderation. They are also asked to select and send to the AVA samples of student work which forms the basis for standardisation events held by the AVA. Moderators are invited to attend these standardisation events. In its meeting with a group of moderators, the review team explored the process of standardisation. Moderators confirmed that training events utilised samples of real assessed work as well as case-studies. They also confirmed that standardisation meetings were held but these were optional and they would have found more advance warning of these events helpful. While the review team was satisfied that attention is given to ensuring the comparability of standards, it formed the view that it would be possible for a moderator operating with only one provider and unable to attend standardisation meetings to lack effective guidance on the maintenance of an appropriate standard in assessment. Therefore, it is a condition of licence that OCNOTCL strengthens the guidance to moderators to ensure greater consistency in standardisation activities.

63 The AVA has a very clear and comprehensive specification for the operation of external moderation. The process involves an expectation that moderators will pay at least two visits to the provider during the year, and produce interim and final moderator reports. Guidance is provided on the checking of

internal moderation processes at the provider, sampling of student assessed work, report writing and making recommendations for the award of credit. Moderators who met the review team confirmed the AVA provided clear guidance on the operation of moderation and moderation processes. They were also very clear on the actions they would take where the moderation process gave cause for concern with the provision, depending on the severity of that concern.

Appointment and training of moderators

64 Criteria for the appointment of moderators are clearly specified by the AVA and include extensive experience of Access to HE as a practitioner or belonging to a receiving higher education institution, understanding of teaching and learning particularly in the context of returners to learning, and relevant subject expertise at an appropriate level. From its examination of information relating to the current moderators working for the AVA, the review team was satisfied that the subject expertise criterion was, in general terms, being met. However, the team saw one example of moderation by a single individual across a significant number of subject areas covering a wide range of disciplines. It therefore recommends that the AVA should keep under review the range of subject expertise and understanding of the level of achievement for Access to HE awards among members its moderation team. Currently, the AVA has a relatively small team of moderators in relation to the scope of its activities. However, the team was told that the AVA had recently appointed six new moderators, approximately a 50 per cent increase in numbers, and this should provide scope for the avoidance of individual moderators becoming overcommitted. Where there is a range of subject provision, several moderators may be appointed to a provider. There is also provision for more than one moderator to be appointed where student numbers are too high for one moderator to act, although this has not yet been invoked. Although it is not formally stated in the AVA's moderation procedures, the team was told that there is provision for the

appointment of a lead moderator who would take responsibility for coordinating reporting on the standards of a provider.

65 The AVA seeks applications for prospective moderators, and officers undertake an initial selection and briefing meeting for applicants. This is designed both to screen the suitability of candidates and also to enable them to understand the requirements of the role and to make an informed decision as to whether they wish to proceed. Successful applicants are placed on a panel of moderators and their appointment is subject to formal confirmation by the Access Subcommittee. The review team noted that, in the absence of meetings of the Access Subcommittee in the early part of 2008, the Quality Assurance Committee approved the appointment of five new moderators, albeit that the meeting of Quality Assurance Committee was not quorate.

66 The relationship between the AVA and its moderators is controlled through a standard contract, the latest version having been supplied to the review team subsequent to the visit. It contains a clear statement of the services to be provided by the moderator and provision for termination of the contract by either party. It does not, however, contain an explicit prohibition on subcontracting of duties by the moderator, and it is a condition of licence that OCNOTCL should amend its moderator contract to make explicit that subcontracting duties is prohibited. The contract specifies the duration of office of the moderator, and this should not exceed four years. From the information given to the team, it was able to confirm that none of the current moderation team had been in office with their current provider for a period in excess of four years.

67 The Access to HE officers provide initial induction and periodic updating training for moderators and there is also the facility for mentoring of new moderators by a more experienced moderator. Newly appointed moderators were able to confirm the induction arrangements, and that they had benefited from co-moderation with a more experienced moderator prior to allocation to a provider.

Established moderators were able to confirm the availability of regular training inputs which had covered such matters as standards and cross-marking, internal and external moderation, role and limits of responsibilities for moderators, and documentation. While it was clear that the AVA was providing effective induction and ongoing training opportunities for its moderators, it remained the case that these might be regarded as optional. It is a condition of licence that OCNOTCL amends its moderator contract to make explicit that ongoing training and development is a requirement.

68 Meetings with the moderators and the programme coordinators demonstrated strong working relationships of moderators with the providers and the AVA. The review team heard about the AVA's support through induction and training of moderators, their strong personal commitment to ensuring engagement with programme staff and the students, and the detailed feedback afforded to the AVA in fulfilling their duties. The moderators found the AVA's Guide to Policies and Procedures extremely useful to support their work.

Evaluation and reporting

69 The review team was interested to know whether and, if so how, the AVA evaluated the effectiveness of its external moderators. It was told that the AVA officers read and evaluated all moderator reports from a quality of reporting perspective. In addition, providers are asked to complete an annual questionnaire covering a range of issues including their experience of the moderation process during the year. There is a facility for AVA officers to observe the moderation process in action, but the AVA confirmed that this had been used infrequently. Currently, the AVA operates with a relatively small team of moderators, and it felt that, as a result of this, the officers interacted regularly with and knew the moderators.

70 The Moderation Handbook provided by the AVA gives very clear guidance on the reporting requirements for moderators. In particular, for both the interim and final reports, there is clarity as to the purpose the

report fulfils, timescales for completion of the report and moderators have a statement of how the AVA processes and uses their reports. The AVA has a standard pro forma for each of the interim and final reports, and this is available electronically through its website. Moderators whom the review team met felt that the guidance given to them by the AVA on reporting the outcomes of moderation was very clear.

71 Following the reading of reports by officers (see paragraph 69), their principal features, negative and positive, and overall outcomes are summarised in an annual consolidated Moderation Officer's Report on the Moderation of Access Programmes. This is reviewed within the committee structure of the AVA. The review team saw copies of reports for the last five years and noted that the most recent report appeared comprehensive and evaluative.

72 Members of the Access Subcommittee confirmed that they received a sample of moderator reports to review. The terms of reference of the Access Subcommittee indicate that the committee also receives the Moderation Officer's Report, although members of the Committee whom the review team met were unclear on whether this was the case. There was also some ambiguity in the documentation provided to the team; the overview indicated that it was the Quality Assurance Committee which both received samples of moderator reports and the Moderation Officer's Report, whereas the Articles of Association stated that the Access Subcommittee receives the moderator reports and approves the Moderation Officer's report. Each provider has a 'quality contact' and the external moderation report is sent to this individual. Where the moderator report flags points for action, these are followed up by the moderator at his/her interim visit during the following academic year. More serious concerns would be dealt with by a formal letter to the 'principal contact' and reported to the Quality Assurance Committee. This may require an action plan to be prepared by the provider. In the event of a provider failing to rectify a

serious matter, the AVA has available to it the sanction of withdrawing approval although there has so far been no necessity to invoke this power.

Final assessment meetings

73 In order to arrive at their recommendations for the making of awards, the AVA expects providers to hold assessment boards. Advice to this effect is incorporated into the Guide to Policies and Procedures. The AVA recognises that, in practice, there is some variation in the way providers process decisions on awards and they are looking to work with moderators to standardise procedures. The review team asked moderators about their experience of final assessment boards. They described a range of practice from formal boards through to what were described as 'super moderation meetings' where the process of final moderation and recommendation for award was conflated. The team also spoke to course coordinators about the procedure for making award decisions in their colleges. Again a range of practice was evident, with most holding formal assessment boards but smaller providers describing less formal procedures. Course coordinators felt that moderators gave useful guidance on how assessment boards should be run. While recognising the moves the AVA is making towards standardising and formalising arrangements for assessment boards, it is a condition of licence that OCNOTCL amend the guidance given to providers with respect to the constitution and conduct of award boards to ensure greater consistency.

74 Providers are required to bring forward recommendations for the award of the Access to HE Diploma to students who have accumulated the requisite number of credits and met the rules of combination. They do so by use of the recommendation for award of credit pro forma, which is completed by the tutor/assessor and signed off by the tutor/assessor and the internal moderator. It is part of the responsibilities of external moderators to verify these recommendations and the Moderation

Handbook contains a clear statement of procedure for moderators to follow. This includes checking that credit targets and rules of combination for the Access to HE award have been met. The external moderator is required to sign the recommendation for award of credit pro forma and return it to the AVA after the process of moderation has been completed, and the moderator is satisfied that appropriate standards have been met. The review team noted that several external moderators had commented adversely on the layout and organisation of the pro forma which required time consuming checks to be made to confirm that the student's credit profile was aligned with the programme and pathway specifications. The AVA conceded that the design of the pro forma was not user-friendly for moderators making their checks before confirming awards. The team recommends that the AVA should review the structure of the pro forma to enable easier identification of legitimate unit contributions to awards. The AVA confirmed that all students who completed the required learning achievement, as specified in the programme documentation, were awarded Access to HE Diplomas, and students who have accumulated credits, but who do not meet the requirements of the Access to HE Diploma, receive a transcript of credits achieved.

75 Overall, the review team commended the robust and effective operation of the external moderation process in terms of monitoring and reporting on the provision and its assessment.

Award and issue of Access to HE Diplomas

76 The overview indicated that the AVA made awards of the Access to HE Diploma through the authority of the Chair of its Board. As previously noted above (paragraph 17), when the review team met members of the Governing Council, members were clear that responsibility for the AVA licence resided with the Governing Council, although this is not explicitly referred to in the Memorandum and Articles of Association, and the team could not find evidence of this. One condition from the original licensing report required that the AVA

identified the locus of authority for the award of the Diploma. While the Board members considered that it rested with them, members of other committees were less sure of its location. It is a condition of the licence that the AVA should clearly locate and specify, within its constitutional documentation, responsibility for the AVA licence and for the award of credit and the Access to HE Diploma.

77 Certificates issued by the AVA to students qualifying for the award of the Access to HE Diploma are in a standard format which includes the specific title of the award, the name of the AVA and the Access to HE logo. There had been some discussion within the Quality Assurance Committee about enhancing the security of certification through the incorporation of watermarking, and the review team was told that the AVA was actively pursuing a form of holographic security marking. The overview described a procedure for the issue of Access to HE Diploma certificates designed to ensure the security and integrity of the process. Awards to students are only entered on the AVA's database from the original recommendation for award of credit form signed by the external moderator. There is sampling of certificates by a second member of staff to ensure accuracy of certification. Members of staff in the AVA involved with the administration of awards were able to confirm these procedures were in place and used in practice. They described a system in which certificates had unique serial numbers, and a record of the issue of each numbered certificate is maintained, including a record of spoiled certificates. Blank certificates are stored under secure conditions. The AVA officers were also able to describe secure mechanisms for checking the identity of award holders where replacement certificates had been requested. The team formed the view that the AVA had appropriately secure procedures to manage the storage and issue of Access to HE Diploma certificates. Discussions with AVA staff responsible for the issue of certificates confirmed that the certification process is monitored and kept under review.

Audit trails

78 The review team conducted a representative sample of six audit trails of OCNOTCL Access to HE providers. The purpose of the trails was to enable the team to consider the effectiveness and consistency of the AVA's quality assurance processes at centre level, and identify issues for further clarification and investigation during the review. All providers must be members of OCNOTCL and they are entitled to representation on the Quality Assurance Committee and the Access Subcommittee. The team met programme coordinators from the providers selected for the audit trails, some of whom were members of the AVA committees.

79 The review team considered Access to HE Diploma programmes across the region, provided by four further education colleges and two different centres of provision for one higher education institution. The programmes included a wide curricular range, including teacher education delivered by two providers, teaching, nursing, science, and business and enterprise, with varying numbers of registered students.

80 The audit trail files presented a largely consistent set of evidence. The contents of each file included:

- programme development and approval documents
- programme specifications for the Access to HE Diploma with appropriate articulation of rules of combination
- programme monitoring and review procedures and pro formas
- publicity material (to indicate the AVA's ability to monitor its appropriateness and that it conforms to QAA requirements)
- internal and external moderation processes and procedures
- external moderators' reports and recommendation for award of credit pro forma.

81 The AVA helpfully provided a complete set of its centre external moderators' reports for

2007-08, which confirmed the review team's impression that the process of moderation was robust and secure.

82 The audit trail files did not contain centre approval documentation. AVA staff informed the review team that centre approval documents were inherited at the time merger as documents of record. One example was provided which showed the signed centre approval agreement with a provider, supplemented by the AVA's annual update pro forma listing all contact arrangements for the current year. Completion of this pro forma is an AVA requirement which ensures that the AVA is aware of the details of key staff administering programmes on its behalf at each provider. The Guide to Policies and Procedures contains a detailed checklist template for the provider to confirm compliance with AVA requirements to demonstrate the provider's capacity to deliver Access to HE programmes, including recruitment and induction; record keeping of learner assessment and achievement; learner support; resources; staffing; standardisation procedures; equal opportunities; and health and safety policies.

83 The AVA gathers data from its providers for the annual report to QAA (see paragraph 55). Additional statistical information on student achievement was evidenced in audit trail files but, in the absence of centre annual programme monitoring reports, it is not possible to assess how the AVA is able to make use of comparative statistical analysis across its provision.

84 The comprehensive processes for external moderation were confirmed through scrutiny of reports across the provision. The review team found that the standard of reporting by external moderators provided a comprehensive check on the student experience, achievement and success, together with identification of good practice and areas for concern for action. Most expressed satisfaction with the assessment practices and achievement of intended learning outcomes based on an appropriate variety of student assignments. The team noted that meetings held by moderators at the interim

visit, and subsequently at the final visit, revealed students' generally high satisfaction with the level of individual pastoral and academic guidance available to them. It was clear to the team that identified progression routes which carry with them professional requirements, for example, in teaching, nursing and midwifery, had been well researched and promoted with regional higher education institutions. Students are thus offered opportunities for fulfilling their aspirations to continue on relevant degree programmes. The team concluded that external moderation made a significant contribution to the AVA's opportunity to enhance the quality of its provision.

85 The review team found little evidence of serious issues arising through the moderation system. Discussions with programme coordinators and AVA officers confirmed that the AVA is made aware of potential or existing problems informally and formally during the scrutiny of action points identified by moderators. Such scrutiny depends upon the full participation of the Access Subcommittee and Quality Assurance Committee in confirming that actions identified are completed, and that good practice is noted for dissemination.

86 The samples of annual programme reports showed evidence of the processes for gathering student feedback information at two centres. The review team found additional information on student perceptions and views in the moderators' reports. All reports documented high student satisfaction levels about the quality of their learning experience and the curricular offered in their part programme pathways.

87 Publicity materials to promote Access to HE programmes seen by the review team were informative and useful to target potential students. Pre-admission and induction processes are viewed as important by the programme coordinators, with user-friendly guidance in programme handbooks which give detailed information to support the students. As well as full programme details, the sample handbooks seen during the audit trails contain helpful advice, regulations and assessment information.

88 The review team saw an example of the AVA award certificate and credit transcript which were in accordance with QAA's requirements for the Access to HE award.

Conclusions

89 OCNOTCL was formed in 2006, following several mergers over a period of five years. In 2006, OCNOTCL also ended its association with the National Open College Network and became an independent organisation. It was awarded a provisional AVA licence in July 2007, and it currently works with 20 Access to HE providers, spread across the regions of the East of England, the South East, South West England and London.

90 The various mergers have necessitated considerable reorganisation and relocation to more central offices in Amersham. It has also recently established an office base in the North East of England. These developments have been a significant focus of the attention of the Governing Council for the last two years. It is to be hoped that this will place the AVA on a firm footing for progress in the future, and that it will now be able to turn its focus on other matters.

91 The AVA has a clearly specified and appropriate governance structure. However, this structure has not operated satisfactorily for the first two years of OCNOTCL's existence. There have been long periods when key committees did not meet or were inquorate, and the organisation has not always acted in accordance with its own Articles of Association or with broader principles of good governance. The main challenge for the AVA is to engage its members and improve attendance at committees and in other AVA activities such as standardisation events and the annual general meeting. Achieving this engagement will not only help to support the proper governance of the AVA, but will also allow the AVA to benefit from more developed partnership working with its members.

92 While there has been some improvement in the quality of the AVA's minutes since the

initial licence review, this remains an area of weakness. In particular, the level of detail given in some of the minutes is insufficient to provide helpful information about committee proceedings for members unable to attend meetings, or as a formal record of decisions taken, or for use as a monitoring tool to ensure that agreed actions are implemented. Further improvement is needed in this area to underpin the sound governance and effective operation of the AVA.

93 The AVA's major quality assurance procedures are, in most cases, fit for purpose in their design and operated effectively. Clear documentation is readily available in the AVA's Access to HE Guide to Policies and Procedures, with forms and supporting material available to all providers and prospective providers who wish to develop new programmes. The use of these documents and the support given to providers by the Assistance Director, Quality and Development, contributes to the effective development of new pathways.

94 The AVA operates appropriate validation and moderation system, and completed moderator reports confirm that moderation is working well. Moderators are appointed to all pathways offered by providers and the AVA increased its pool of moderators in the last year in recognition of the fact that subject expertise is essential when reviewing Access to HE work.

95 In some areas of quality assurance, however, attention is needed to ensure a proper degree of externality and consistency, for example, in relation to the membership of validation panels and the operation of final assessment boards. In addition, those processes which depend on the oversight, approval or participation of committees (for example, the confirmation of moderator appointments or consideration of moderation outcomes) have not, because of the lapses in committee operation, been fully operational, and the quality assurance of provision accredited by the AVA has therefore not always been secure.

96 To date, reports generated by the AVA's quality assurance procedures have not been

systematically reviewed by the AVA's committees, and the AVA's ability to use the outcomes of its monitoring and quality assurance of Access to HE provision for enhancement, or to provide an evidence base for the development of strategy, is limited by this.

97 The history of mergers of predecessor organisations over a short timescale; the requirements associated with the creation of an independent organisation and generation of new business; the reorganisations to staffing and changes in office location; problems created by poor attendance at committee meetings; and the effects of a widespread geographical region have all had significant influence on the operation of the AVA since it was granted its provisional AVA licence. When set against a scenario of falling numbers of both Access to HE and adult and community learners, which will result in lower income, it is clear that there will be challenges for the AVA. The organisation's capacity to cope with these challenges across an increasingly dispersed area, including developments in the North East of England, is uncertain. These pressures may also to impact on the AVA's ability to meet the obligations of the AVA licence.

Commendations

98 The AVA is commended for:

- i the Access to HE Guide to Policy and Procedures handbook, which is highly valued by providers and moderators
- ii the quality of the student learning experience across a wide range of Access to HE programmes, as evidenced in the moderator reports
- iii the levels of commitment of providers to learner support, highly valued by the learners, as evidenced in the moderator reports
- iv the support given to providers by the Assistant Director, Quality and Development

- v the robust and effective operation of the external moderation process in terms of monitoring and reporting provision and its assessment
- vi the effective arrangements for learner progression to higher education, especially with respect to the health and caring professions.

The AVA licence

Review outcome

99 The Open College Network, Oxford Thames and Chiltern Ltd is awarded a provisional confirmation of its full AVA licence, with the following conditions. A revisit will be arranged for the spring of 2010.

Conditions

100 The licence is confirmed on condition that the AVA:

- i produces an Action Plan to be submitted to QAA by 31 March 2009, with all actions to be enacted by 31 January 2010. The Action Plan will provide details of how the AVA intends to respond to the following list of specific conditions. The details in the plan will include the action(s) required to meet the condition, the officer and committee responsible for implementing and/or monitoring the action, the method of monitoring, and key dates for assessing the progress and completion of the item. The plan will also indicate how the Governing Council will be involved in overseeing the process. A QAA officer will be available to liaise with the AVA about the development and implementation of the Action Plan and report to the Access Recognition and Licensing Committee on progress. The specific requirements to be covered by the Plan are as follows.

The AVA is required to:

- a amend the Company's Memorandum and Articles of Association to refer to 'Access Validating Agency' (paragraph 16)

- b ensure that quorate annual general meetings of the AVA are held in accordance with the Memorandum and Articles of Association (paragraph 18)
- c ensure that the cycle of meetings of the governance committees is synchronised to meet internal and external business deadlines (paragraph 20)
- d ensure that quorate meetings of the Quality Assurance Committee and Access Subcommittee take place in accordance with the Memoranda and Articles of Association (paragraph 26)
- e ensure that all AVA-related matters are reported fully in the minutes of the Governing Council and committees within the governance structure (paragraph 27)
- f review and redevelop the strategic planning process for Access to HE, to ensure appropriate and effective use is made of the governance committees and the views of stakeholders (paragraph 31)
- g provide a clear statement of the AVA's intention with regard to expansion of Access to HE provision in the North East. Should the AVA intend to undertake such expansion, the statement is to include a review the risks of, and the staffing and other resources required for, any such expansion to ensure that all Access provision remains fully and adequately supported (paragraph 32)
- h establish procedures for monitoring and assessing potential risks to its activities (paragraph 33)
- i develop professional practice for setting agendas and for minuting meetings of all committees, ensuring that there is cross referencing between agenda items, papers and minutes (paragraph 36)
- j ensure that the annual report to QAA incorporates the audited financial statements and is considered and approved by the Governing Council within the agreed deadlines (paragraph 38)

- k ensure that all conditions relating to programme validations and revalidations are monitored and approved as being met by the appropriate AVA committee and that this is clearly reflected in the relevant committee minutes (paragraph 50).

In addition to the Action Plan described above, the AVA is required to meet the following conditions before the licence can be confirmed. All conditions are to be met by 31 May 2009, with the exception of condition iii which is to be met by 30 November 2009.

The AVA is required to:

- ii ensure the correct use of QAA's logo, in line with the revised guidelines, where it is used on provider documentation (paragraph 43)
- iii clarify the criteria for the membership and terms of reference of validation and review panels, including providing a clear distinction between those submitting a proposal and those evaluating it, and incorporate the criteria into the Guide to Policies and Procedures (paragraph 48)
- iv continue to develop its procedures to ensure that providers comply with the requirement to submit annual programme reports, and that these reports are scrutinised and acted upon by the AVA (paragraph 56)
- v strengthen the guidance to moderators and providers to ensure greater consistency in standardisation activities (paragraph 62)
- vi amend the moderator contract to make explicit that subcontracting duties are prohibited (paragraph 66)
- vii amend the moderator contract to make explicit that ongoing training and development is a requirement (paragraph 67)
- viii amend the guidance given to providers with respect to the constitution and conduct of award boards to ensure greater consistency (paragraph 73)

- ix clearly locate and specify within the AVA's constitutional documentation, the responsibility for the AVA licence and for the award of the Access to HE Diploma (paragraph 76).

Recommendations to the AVA

101 The review team recommends that the AVA:

- i keeps under review the size and structure of the Governing Council, to ensure that there is sufficient and appropriate experience and expertise in relation to the responsibilities associated with its AVA licence (paragraph 19)
- ii in reviewing the Memorandum and Articles of Association, considers the removal of the detailed terms of reference for the Quality Assurance Committee and Access Subcommittee to allow greater flexibility in their maintenance (paragraph 26)
- iii develops an Access to HE-specific budget (paragraph 37)
- iv ensures the implementation of the procedures for validation and review with respect to the documented support for programmes by higher education institutions (paragraph 45)
- v continues to develop a proactive approach to the promotion of Access to HE and the targeting of under-represented groups, possibly through a subregional approach (paragraph 46)
- vi keeps under review the range of subject expertise and the understanding of levels of achievement for Access to HE awards among its moderation team (paragraph 64)
- vii reviews the structure of the recommendation for award of credit pro forma, to enable easier identification of legitimate unit contributions to awards (paragraph 74).

Appendix


Aims and objectives of AVA review

The aims of the system of AVA review are:

- i to provide the basis for an informed judgement by the Access Recognition and Licensing Committee about the fitness of the AVA to continue as a licensed agency
- ii to promote public confidence in Access to HE as a properly regulated and respected route into higher education by assuring:
 - the quality and adequacy of AVAs' systems and procedures
 - the quality, comparability and range of AVAs' operations
 - the adequacy and comparability of AVAs' standards for approval, moderation and monitoring of programmes
 - consistency across AVAs in the operation of criteria for the granting of the Access to HE award
- iii to stimulate reflective and self-critical perspectives within AVAs, as an instrument to promote quality enhancement
- iv to provide an opportunity to identify and disseminate good practice of AVA operations
- v to provide a mechanism for ensuring necessary, and encouraging, desirable, improvements and developments in AVAs.

The objectives of each AVA review are:

- i to examine, assess and report on:
 - the development of, and changes in, the AVA since its last review or initial licence, and its plans and targets for the future
 - the organisation's continuing viability and robustness and the ways in which the AVA demonstrates sound governance
 - the efficiency and effectiveness of the AVA's operational and quality assurance systems
 - the range and scope of the AVA's activities, and the appropriateness and value of these activities
 - the ways in which the AVA approves and monitors programmes, and the ways in which these processes take account of the need for consistency and comparability
 - the ways in which the AVA satisfies itself of the adequacy and comparability of standards achieved by students gaining the Access to HE qualification
 - the evidence available to indicate the AVA's success in achieving its aims and targets
- ii to identify and report on:
 - strengths and good practice in procedures and operations
 - areas which would benefit from further development
 - areas requiring attention.



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