



# **Open College Network South East Midlands (OCNSEM)**

---

**NOVEMBER 2002**

ISBN 1 85824 867 1

© Quality Assurance Agency for Higher Education 2003

*Published by*  
Quality Assurance Agency for Higher Education  
Southgate House  
Southgate Street  
Gloucester GL1 1UB

Tel 01452 557000  
Fax 01452 557070  
Web [www.qaa.ac.uk](http://www.qaa.ac.uk)

*Printed by*  
Linney Print

The Quality Assurance Agency for Higher Education is  
a company limited by guarantee

## **Contents**

<b>Foreword</b>		
The review process	1	
<b>The AVA context</b>	1	
Major developments since the previous review	1	
<b>Statistics and Trends</b>	2	
AVA statistics 2000-01	2	
<b>Principle 1</b>	2	
The organisation has a structure which is based on a partnership of members, including institutions which provide Access to HE programmes and institutions of Higher Education.	2	
<b>Principle 2</b>	3	
The organisation has governance structures which allow it to discharge its AVA responsibilities securely.	3	
<b>Principle 3</b>	5	
The organisation is aware of, and in position to meet, its legal and public obligations.	5	
<b>Principle 4</b>	6	
The organisation is able to manage effectively its AVA responsibilities and the structure which supports them.	6	
Aims	6	
Strategic planning	6	
Resources, financial management and staffing	7	
Procedures and their evaluation	7	
Communications	8	
<b>Principle 5</b>	9	
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 recognition.	9	
Programme development	9	
Programme validation and recognition	9	
<b>Principle 6</b>	10	
The organisation is able to safeguard the continuing quality of Access to HE programmes, and to secure the standards of achievement.	10	
<b>Principle 7</b>	11	
The organisation is underpinned by structures and processes which enable it to review, evaluate and develop the Access to HE provision for which it has responsibility.	11	
Programme monitoring and revalidation	11	
Programme development and enhancement	12	
<b>Conclusions</b>	12	
Commendations	13	
<b>The AVA licence</b>	13	
Review outcome	13	
Conditions	13	
Recommendations to the AVA	14	
<b>Appendix</b>	15	
Aims and objectives of AVA review	15	

## Foreword

1 The Quality Assurance Agency for Higher Education (QAA) is responsible to the Department for Education and Skills for the recognition of Access to Higher Education programmes. QAA exercises this responsibility through a national network of authorised validating agencies (AVAs), which are licensed by QAA to recognise individual Access to HE programmes, and to award Access to HE certificates 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.

2 QAA has developed a scheme for the licensing and review of the 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 (ARLC), a committee of the QAA Board of Directors. The ARLC is responsible for overseeing the process of AVA review through which AVAs are periodically relicensed. In reaching judgements about whether and under what terms an AVA's licence should be renewed, the criteria applied by the ARLC - and by review teams operating on the Committee's behalf - are those provided within the Recognition Scheme documentation. These criteria are grouped under the seven principles that provide the main section headings of this report.

3 Following the review of an AVA, a member of the review team presents the team's report to the ARLC. The Committee then makes one of five decisions:

- i unconditional renewal of licence for a specified period;
- ii conditional renewal of licence with conditions to be met by specified date;
- iii provisional renewal of licence with conditions to be met and further review visit by specified date;
- iv withdrawal of licence for operation as an AVA;
- v temporary renewal of licence with request for further information by specified date (decision suspended).

4 This is a report of a review of the AVA function of the Open College Network South East Midlands (OCNSEM) undertaken by QAA. The Agency is grateful to OCNSEM and to those who participated in the review for the willing cooperation provided to the review team.

## 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 review included an initial meeting between OCNSEM representatives and the QAA Assistant Director to discuss the requirements for the *Analytical Account* (the *Account*) and the process of the review; the preparation and submission by OCNSEM of its *Account*, together with a selection of supporting documentation; a meeting of the review team to discuss the *Account* and supporting documentation and to establish a draft programme for the review visit; and negotiations between QAA and OCNSEM to finalise the programme and other arrangements for the review visit.

6 The review visit took place on 19 and 20 November 2002. The visit to OCNSEM consisted principally of meetings with representatives of OCNSEM, including AVA officers; members of the Board of Directors, Access Committee and Quality Committee; moderators for Access to HE programmes; Access to HE course leaders; representatives from higher education (HE); and former Access students now studying in HE.

7 The review team consisted of Steve Babbidge, Director, South of England Open College Network and Professor Colin Raban, Head of Academic Quality and Standards, Edge Hill College of Higher Education. The review was coordinated for QAA by Ms Kath Dentith, Assistant Director (Access), Reviews Group.

## The AVA context

8 OCNSEM was previously known as Leicestershire Open College Network (LOCN) and has operated as an AVA under Higher Education Quality Council (HEQC) and QAA licence since 1992. It was originally established in Leicester in 1990 but moved to premises in Loughborough in December 1999. The OCN currently has almost 100 members, most of which are located in Leicestershire and Northamptonshire, including higher education institutions, further education colleges, sixth form colleges, adult and community colleges, voluntary and community organisations and private training providers. In 2001-02, AVA activity generated approximately 19% of the OCN's income.

## Major developments since the previous review

9 The AVA was last reviewed by HEQC in October 1995. That review occurred at a time when LOCN was planning for significant constitutional change and

anticipating an expansion in the membership of the organisation. The proposed membership body would consolidate relationships with further and higher education institutions, and extend LOCN's activities into Northamptonshire, South Lincolnshire, Peterborough and Cambridge. Having noted that the successor body would need to secure AVA status from HEQC, the review team recommended that LOCN's licence as an AVA should be renewed, subject to the submission of a report containing a proposal to operate as an AVA within the new constitutional arrangements. It was also recommended that this report should address the issues identified by the team, focusing, in particular, on 'the issues of commitment and participation of the HE institutions, the development and use of student tracking data, and systems by which the AVA satisfies itself and disseminates evidence of students' standards of achievement across the AVA in the award of Access certificates'. The OCN's progress in relation to these issues receives comment under the relevant sections elsewhere in this report.

10 The *Account* states that, since the HEQC review, there have been 'several major changes in governance, management and organisational structure' in response to the changing environment in which the OCN operates. The external changes have included the expansion of local higher education institutions (HEIs); government policies for widening participation, social inclusion and lifelong learning; changes to the system of financial support for students; and expansion of employment opportunities and demographic changes. According to the *Account*, the principal internal changes have been a strengthening of the governance of the AVA, improved quality assurance arrangements for Access to HE provision, the implementation of systems and procedures to support a continued improvement in the quality of the reports received by the AVA, and a greater emphasis on the standardisation of assessment.

11 The *Account* and its supporting documentation record some significant changes to the governance, management and staffing of OCNSEM over this period. In 1998, OCNSEM was established as a subsidiary company of Loughborough University with an appointed Board of Directors (see paragraph 15ff). Since then, various amendments have been made to OCNSEM's constitutional arrangements; staffing levels have been increased; there have been four different managers (at chief executive level); and the organisation has been restructured on two occasions.

## Statistics and Trends

### AVA statistics 2000-01 (as provided by the AVA in its annual report to QAA for 2000-01)

12 Providers offering Access to HE programmes	18
Access programmes available	35
Access programmes running	27
Access learner registrations	961
Access to HE certificates awarded	397
13 The <i>Account</i> states that the number of providers of Access to HE programmes has decreased slightly during the period between 1998 and 2002. In 1998-99, for example, these programmes were offered by 15 further education (FE) colleges and the corresponding figure for 2000-01 was 11. The longer-term reduction in the overall number of providers is attributed to college mergers and the transfer of responsibility for centres and provision to other AVAs. Over the same period, there has also been a marked decline in the number of programmes running (from 32 in 1998-99 to 24 in 2001-02); the number of new programmes recognised has varied from year to year (between 13 in 1999-2000 and one in 2000-01, with the figure for 2001-02 being four). The total number of learners registered has declined from 1,193 in 1998-99 to 953 in 2001-02. Over the same period, however, a significant initial increase in the number of Access to HE certificates awarded was followed (from 2000-01) by a proportionately smaller decline. This evidence would appear to justify the <i>Account</i> 's claim that there have been 'increased levels of certification measured against registrations'.	

### Principle 1

**The organisation has a structure which is based on a partnership of members, including institutions which provide Access to HE programmes and institutions of higher education.**

14 The AVA operates as a partnership of members with a wide range of organisational types represented among the membership (see paragraph 8, above). The membership includes organisations offering Access provision, and four HEIs (De Montfort University, Leicester University, Loughborough University and University College Northampton). Access programmes are offered largely through FE colleges and are supplemented by community-based provision and a specialist music training company working in collaboration with FE colleges across the country. Membership is sufficiently broad and cross-sectoral to ensure, in principle, the AVA's operational viability, and to secure informed decision-making about Access to HE matters.

15 The AVA is incorporated as a subsidiary company of Loughborough University, limited by shares. The company's share capital is £1,000 divided into £1 shares, only two of which have been subscribed to: both of these are currently held by the University of Loughborough. The remaining 998 shares can be allotted by the Board at their discretion. The relationship between the University and OCNSEM Ltd is the subject of a memorandum of understanding, which refers to the OCN's 'operational independence' and the intention that 'the University will in no way seek to influence or constrain the powers of the OCN to discharge its stated functions outlined in its constitution'. The responsibilities, liabilities and authority of each party are set out in the company's *Memorandum and Articles of Association* and also (somewhat differently) in the AVA's *Constitution*.

16 The AVA's *Constitution* refers to its structure as being 'made up of member institutions...' and that 'All member institutions have the right to representation within OCNSEM's decision making structure by nominating and electing committee members'. The AVA distinguishes 'members' and 'affiliate members' in its charging policy, the latter being defined as organisations not offering provision accredited by OCNSEM. The separate rights and obligations of each category are not distinguished in the *Constitution* or the membership agreement, and, in its discussion of members' rights, the *Account* refers to 'centres' (ie those organisations which deliver OCNSEM-recognised programmes). The review team was assured, however, that this did not, in practice, prevent affiliate members (the majority of the HEIs in membership of the AVA) from having access to decision-making structures.

17 Organisations are admitted into membership of OCNSEM via a membership agreement which outlines the AVA's mission and establishes a series of 'rights and obligations'; invites new members to nominate representatives to the OCNSEM Board and Quality Committee (but, in the current version, not the Access Committee) and establishes grounds for termination. The agreement also refers to the Board's role in 'ratifying membership', and the AVA's *Constitution*, though making no reference to the Board's role in confirming membership, refers to applications for membership being 'considered against published criteria for membership'. The review team was unable to identify evidence of the Board's systematic involvement in this process, recent practice relying on the Chief Executive's judgement.

18 In considering the rights of AVA members to nominate representatives to the Board, the review team noted an apparent mismatch between the legal status of membership of OCNSEM Ltd (where the Board has an obligation to observe its *Articles*, which stipulate

that there is no 'rotation' of company directors and that new Board members are appointed by existing directors or through them approving nominations) and the OCNSEM *Constitution*, which makes no reference to OCNSEM Ltd other than through a reference to OCNSEM being a subsidiary company of Loughborough University.

19 The review team was clear that, at an operational level, OCNSEM was functioning as a partnership of members. It was less clear, however, of the extent to which OCNSEM's constitutional and corporate instruments would allow it in all instances to meet the licensing criteria under Principle 1. There is a lack of clarity between OCNSEM Ltd as a company limited by shares (defined in its *Memorandum and Articles of Association*), and OCNSEM as an operational AVA (as defined in its *Constitution*). In particular, with regard to 'authority', there is the potential for the Board to determine its membership and overrule the *Constitution*, without OCNSEM members having recourse to checks and balances in the composition of the Board. (See also comments under Principle 2 and Principle 3, below.)

20 The review team therefore concluded that OCNSEM should thoroughly review its legal status and clarify the balance of authority between the Board of OCNSEM Ltd and the membership of OCNSEM as an AVA, to ensure that it is able to meet the AVA licensing criteria. The team would also recommend a clarification in relevant published documents of the common rights, responsibilities and eligibility to vote shared by members and affiliate members who do not provide programmes. This clarification would include updating the membership agreement and other documents to include reference to the Access Committee.

## **Principle 2**

**The organisation has governance structures which allow it to discharge its AVA responsibilities securely.**

21 As noted above (paragraph 15), OCNSEM is a subsidiary company of Loughborough University. This particular model was adopted following the recognition of the need to secure the transition of OCNSEM's predecessor, LOCN, from its existence as part of an LEA structure, to an independent status that would meet the requirements of external regulatory bodies. In order to secure this, the AVA explored a number of options and entered into an arrangement with Loughborough University in 1998. The *Memorandum and Articles of Association* of OCNSEM Ltd have been adopted from a 'shell' company, Metersuper Limited, with a change of name from the latter to the former registered with Companies House in June 1998.

22 OCNSEM has recently (22 October 2002) adopted a revised constitution, which clarifies its committee nomenclature and roles, and confirms its organisational structure. The *Constitution* confirms OCNSEM's legal identity as a subsidiary company of Loughborough University (but not that its liability is limited by shares) and asserts the AVA's ability to act independently of the University, although it notes that 'OCNSEM operates within a Memorandum and Articles of Association'; it confirms OCNSEM's role as an Open College Network and that it also acts as an AVA 'under the Access Recognition Scheme operated by the Higher Education Quality Assurance Agency' [sic]; it confirms the organisation's mission and aims (see paragraph 32, below); it confirms the organisation's structure (with Loughborough University maintaining a presence on the Board in addition to its right as an 'ordinary member'), including a diagrammatic representation of the relationship between officers, the Board, the University, general members, forums, its committees (Quality, Access and, Staffing), an Annual Review Meeting (but not the Annual General Meeting of OCNSEM Ltd), its fees and charges, and election and voting procedures for the Board and committees (but not that members of the Board have a right of veto as directors of OCNSEM Ltd).

23 The OCN's current structure, as a subsidiary company of the University limited by shares held by the University, was inherited by the current Chief Executive upon her appointment and was judged by OCNSEM staff and its Board as fit for purpose, if 'unusual', in the preparation for review. For the review team, however, the constitutional arrangements and governance structures of OCNSEM do not ensure accountability to its members, nor do they protect the organisation from the undue influence of one, or a minority group of its members. The current relationship between OCNSEM Ltd's *Memorandum and Articles of Association* and OCNSEM's *Constitution*, present a number of problems as follows: under company law, the OCNSEM Board is under no obligation to hold itself accountable to the larger OCNSEM membership; its first obligation is to its shareholders (the University of Loughborough) with the University guaranteed a seat on the Board; general members have no legal right to sit on the Board through the processes outlined in the *Constitution*, as OCNSEM Ltd's *Memorandum and Articles of Association* allow only nominations directly by Directors, or with the formal approval of one of their number; accountability within the Board is also questionable, as the *Memorandum and Articles of Association* require only two Board members to be present (out of eight places) for proceedings to be quorate (and, as an example, recent constitutional changes were approved by only two Board members); there are also two separate annual meetings: a company Annual General Meeting

attended by Directors and an Annual Review meeting for the general membership (although these do not always take place, owing to lack of numbers).

24 In summary, the disjunction between the AVA's Constitution and OCNSEM Ltd's *Memorandum and Articles of Association* allows a number of opportunities for the University, as the only shareholder in OCNSEM Ltd, to exercise undue influence. Although decisions made about the AVA are taken by properly constituted bodies, the extent to which they are accountable is limited by OCNSEM Ltd's current *Memorandum and Articles of Association*. Although the review team was assured that the University was not seeking to influence the business of OCNSEM unduly, and that it was, indeed, a committed supporter of the OCN, (and Board minutes provided evidence of a desire to widen membership to a more 'representative' constituency), subsidiary company status and the existence of the original and unaltered *Memorandum and Articles of Association* for OCNSEM Ltd from the 'shell' company, raise the potential for such influence to be exercised. As an example of where this could be seen, during the Board's recent discussions about extending the range of organisations represented amongst its membership and the need to alter the *Constitution* accordingly, it noted that 'The University must be informed of this action and it was agreed that a copy of the Minute should be submitted to the Vice-Chancellor for information.' The team would wish to make clear that its concerns relate only to the limitations and shortfalls of the AVA's constitutional and governance structures, and not the intentions of Board and committee members or the actions of those representing the University.

25 Responsibilities are clearly specified within the governance structures for the oversight of legal and financial matters through the Board's terms of reference. The review team noted, however, that while the nature of financial reporting and monitoring was entirely appropriate, the relationship with Loughborough University meant that the issue of 'independence' was called into question. The team concurred with the *Account*'s observation that 'the University continues to underpin the financial viability of the network' and noted the influence of the University's Performance Management Group (PMG) in determining the AVA's financial affairs: 'OCNSEM reports to Loughborough University's ...PMG which is responsible for monitoring the network's quarterly set of accounts.' The AVA clearly benefits from the PMG's expertise in financial monitoring and the team would not wish to call this service into question. However, as the PMG has an obligation to monitor OCNSEM Ltd's financial performance under the University's financial regulations for subsidiary companies, this could place constraints on the AVA's ability to manage its affairs independently.

26 OCNSEM's Board also exercises control over the AVA's organisational and management structures, through its relationship to the Chief Executive; and the strategic direction, policy development and quality assurance of Access, through its Access and Quality Committees. Both committees have recently been granted equal status with direct reporting lines into the Board through the Chairs of each committee serving on the Board and through regular reporting. The review team was assured that the Board was able to exercise its governance responsibilities through clear lines of reporting to it from the Chief Executive and each of these two committees. The team noted that the Access Committee had been appropriately re-named to reflect its revised status, although its previous name, the Access to HE Sub-Committee, was still widely used in recent AVA documentation, and the *Constitution* itself referred to the Committee as both the 'Access Committee' and the 'Access to HE Committee'. In its regular review of documentation, the AVA may wish to attend to these inconsistencies.

27 OCNSEM is a large Open College Network with a level of AVA activity which, while relatively small in volume, is held by the AVA to be significant in terms of its wider impact and importance, and the *Account* notes that 'its significance is greater than its financial contribution to the company would suggest and it has often driven the quality assurance agenda and generated network-wide change.' There is a clearly specified locus of authority for its AVA responsibilities: the Access Committee, which, as previously noted, reports directly into the Board where ultimate authority resides. The review team was assured that while this relatively new direct link was still developing its modus operandi, the Board, committee members, and officers alike, were clear about this ultimate locus of authority. One area that the team felt needed amendment to ensure officers were not responsible for major AVA responsibilities, however, was the formal admission into membership of new members (see paragraph 17, above).

28 The *Constitution* supplies revised remit and terms of reference of the Access to HE Forum, which 'provides a mechanism for sharing information and discussing local, regional and national Access to HE issues'. While meetings of the Forum lapsed for a period between 2000 and 2002, the new *Constitution* commits the AVA to holding meetings 'at least twice a year'. The Forum's remit, as stated in the *Constitution*, includes a responsibility to 'advise the Access to HE Committee, where appropriate, on matters relating to the practice and implementation of QAA and OCNSEM requirements and the provision of Access to HE programmes', providing an opportunity for practitioners to contribute to, and engage with, the AVA's regulation and development of Access provision.

Although a slightly different version of the remit included with the review papers did not include this responsibility, the review team noted the status of the version presented in the *Constitution* and the mechanism provided to allow the Forum to carry out this advisory role, in the person of its Chair, who sits on the Access Committee.

29 The review team was satisfied that, insofar as the new *Constitution* describes the structures through which the AVA intends to manage its AVA responsibilities, the provisions described were comprehensive and appropriate in their detail. The team concluded, however, that OCNSEM does not meet Principle 2 because, in spite of the appropriate provisions of its *Constitution*, the greater authority of the less appropriate terms of the company's *Memorandum and Articles of Association* exposes the AVA to the risk of the undue influence of one of its members. The AVA is therefore required, as a condition of licence, to review its governance arrangements to address this risk and ensure that the organisation is accountable to its full membership. Such a review would, of necessity, need to be conducted in parallel with the review of the AVA's legal status outlined previously.

### **Principle 3**

**The organisation is aware of, and in position to meet, its legal and public obligations.**

30 As noted above, the AVA has a constitution which refers to its subsidiary company status and outlines its mission, aims, organisational, meeting and committee structures, and election and voting procedures. The *Constitution* does not make clear that OCNSEM Ltd has a share capital and there is no explicit reference to the company's *Memorandum and Articles of Association*. On this basis and for the reasons outlined earlier in the report, the review team was unable to confirm that OCNSEM's constitutional basis was clear and readily identifiable. Again, it is important to note that at no point did the team encounter a reluctance to change current arrangements, rather, that the relevant parties had judged the current situation as 'workable' and on that basis, not currently in need of alteration.

31 In the establishment of an incorporated company, the AVA has taken appropriate steps to ensure that any liability applies only to the directors of the company and that it is limited. There is therefore no risk to individual organisations or the individuals who represent them. As a limited company, the AVA is also able to enter into formal legally binding agreements without prejudice to individual members, and it does so, for example, in relation to its lease for the OCN's offices, where Loughborough University is the leaseholder. It is also obliged to comply with the legal

expectations of a registered company in terms of its financial affairs. The review team noted that although Loughborough University's Performance Management Group (PMG) was able to exercise influence over the AVA's financial affairs, this would not in any way obstruct its legal obligations. Indeed, the AVA benefits greatly from the PMG's expertise in financial monitoring.

32 The extent to which the AVA's relationship with Loughborough University has the potential to restrict its independent decision-making has been outlined in previous sections. Although the review team has expressed its concerns that this relationship has undermined the AVA's ability to meet Principles 1 and 2 in full, it agreed that the present position did not reduce the AVA's awareness of, or restrict its ability to meet, its legal and public obligations. Nonetheless, the team noted that there were criteria under this principle about the AVA's constitutional basis which were not currently met, and agreed that these would be addressed through the review of the AVA's legal status and governance structures required under Principles 1 and 2.

#### Principle 4

**The organisation is able to manage effectively its AVA responsibilities and the structure which supports them.**

##### Aims

33 The mission of OCNSEM is 'to provide a high quality credit-based accreditation service that improves the flexibility and accessibility of provision to all learners and contributes to widening participation and lifelong learning'. This statement is consistent with the network's strategic aims, as set out in its *Constitution* (see paragraph 22, above). The aims of OCNSEM fall broadly into three groups. The first relates to the accountability of OCNSEM to its licensing agencies (the National Open College Network and the QAA) and, in turn, of providers to the AVA. Thus the network aims to 'develop and maintain the AVA status of the network', 'develop and implement robust quality assurance systems...', and 'develop and maintain a culture of continuous quality improvement'. The second group refers to OCNSEM's role in providing an accreditation service: marketing this service, developing new partnerships, ensuring 'company growth [and] profitability', and ensuring that its objectives 'reflect the interest of the stakeholders'. The review team noted that this group of aims was the most closely related to the object of the Company given in *Memorandum and Articles of Association*, that being 'to carry on business as a general commercial company'.

34 The third group of aims has a developmental focus. The network is committed to improving 'the quality, range, accessibility and flexibility of learning

opportunities', and to promoting and increasing 'the take up of learning opportunities particularly by those who have benefited least from available provision'. The *Strategic Plan* for 2002-05 states that OCNSEM's strategy is 'to support our members to develop learning strategies that address and respond to government agendas'. This is consistent with the analysis provided by the *Account* of the 'changing environment in which the network operates'. The review team noted that the 'areas for development' for Access that were recorded in the *Account*, included the need both to undertake a 'strategic analysis of gaps in current provision and identification of targets for further development of Access to HE programmes', and to 'set clear and realistic targets for Access to HE recruitment and provision that is related to local demographics and mission statement'.

35 In the course of the review, the review team sought to establish how OCNSEM balanced its developmental responsibilities with both its commitment to the provision of an accreditation service, and the emphasis it placed on its own and its providers' compliance with quality assurance requirements.

##### Strategic planning

36 The current strategies for achieving the aims of the AVA are set out in the *Strategic Plan 2002-05*. The *Account* states that discussion on the strategic development of the AVA's policies and practices starts at the Access Committee and is either endorsed or modified by the Quality Committee and the Board, and the review team noted that both the Board and the Access Committee had considered the *Strategic Plan* in its draft form.

37 The *Strategic Plan 2002-05* includes 'strategic objectives' and 'key targets' for each of OCNSEM's aims. The aims are reviewed annually as part of the planning cycle, and this process includes a two-day event in which staff identify targets for the forthcoming year. The *Account* states that 'the results are incorporated into a one-year operational plan, future strategic plans and continuous development plan as appropriate'. The network's *Self-Assessment Reports and Continuous Development Plans* are considered by both the Access Committee and the Quality Committee. Both the small size of the organisation and the inclusion of its staff in evaluating progress against targets, have proved to be important in ensuring the effectiveness of OCNSEM's monitoring of its strategic objectives.

38 Between 2002-05, OCNSEM is committed to prioritising 'the implementation of a marketing and communication strategy which will promote services and initiatives which will support the development of

high quality learning in diverse contexts; to recognise progress and achievement through OCNSEM accreditation, the award of NOCN qualifications and QAA approved Access to HE certificates that will ultimately provide greater benefit and opportunity for all learners; and to support [its] members to develop learning strategies that address and respond to Government agendas'. This statement is consistent with the mission of OCNSEM and, in particular, the intention to [improve] 'the flexibility and accessibility of provision to all learners and [contribute] to widening participation and lifelong learning'. However, the *Strategic Plan* provides neither an analysis of current Government agendas nor of the factors and conditions which have led to the recent decline in the number of Access to HE providers, programmes and learners (see paragraph 13, above). In addition, the objectives and targets set by the *Strategic Plan* give little indication of how, in these circumstances, the network intends to fulfil its commitment to supporting its members in developing appropriate 'learning strategies'.

39 From members of the Board and its Access Committee, the review team learnt that the network's contribution to realising the 50 per cent higher education participation rate would be contingent on raising the level of demand from potential learners, working with HEIs to facilitate progression into higher education, and on the capacity of the AVA to undertake both tasks. The documentation seen by the team, and the various meetings held during the review, indicated that the AVA has recently acted to strengthen its partnership with HEIs and to re-establish the Access to HE Forum, and that both measures could lay the basis for future development work with HEIs and Access providers. However, following discussions with both OCNSEM staff and committee members, the team concluded that the development officers have hitherto tended to respond to provider requests rather than take a more proactive role in developing new provision and recruiting new providers, and to focus their attention on ensuring that proposals comply with accreditation requirements rather than enhancing the 'flexibility and accessibility of provision'. This could be a reflection of the limitations placed by recent staffing difficulties on the capacity of the AVA to undertake the full range of responsibilities implied by its strategic aims.

### **Resources, financial management and staffing**

40 The review team was provided with copies of the AVA's accounts and the minutes of Board meetings and, although the *Account* had identified the 'documentation of financial practices and procedures' as an area for development, the accounts demonstrated that OCNSEM does operate a systematic and rigorous approach to the management of its financial affairs.

41 Both from the Account and in the course of discussions held during the review, the team learned that OCNSEM had experienced a number of staff changes. In 2001-02, the AVA has maintained its operations in spite of the impact of staff absences on its capacity. This problem has been compounded by staff turnover and the additional demands placed on the AVA by the need to induct and support newly recruited staff. The evidence available to the team would nevertheless confirm that the management of the AVA has succeeded in maintaining the stability of and continuity within the organisation; that all established staff have job descriptions and are subject to OCNSEM's appraisal process; and that the AVA has established appropriate disciplinary, grievance and dismissal procedures.

42 The AVA operates with a small staffing complement and has been successful in its management of some turbulence in its staffing arrangements. The *Account* acknowledged, however, that one of OCNSEM's areas for development is to reconsider the balance between the staff time allocated to promoting and developing Access provision and to quality assurance and quality enhancement. The review team noted that the current job description for development officers emphasises their responsibilities for the development of new programmes to conform to the AVA's and the QAA's requirements and regulations. It appeared to the team that the strength of emphasis placed on this aspect of development officers' work might impede their work in developing new provision and new modes of delivery and that any future extension of the development officer role to enable them to further the aim of enhancing the 'range, accessibility and flexibility of learning opportunities' might require appropriate staff development. In continuing its work in these areas, it is recommended that OCNSEM give particular consideration to the extent to which its current arrangements are capable of delivering the full range of requirements implied by the AVA's strategic aims (see paragraphs 32-33 and 38, above).

43 The premises in Loughborough to which OCNSEM relocated in December 1999 contain offices and meeting rooms which are, in the view of the team, adequate to meet OCNSEM's current and planned future needs.

### **Procedures and their evaluation**

44 The operations of the AVA are supported by a range of procedures and these are documented in, inter alia, a *Centre Handbook*, handbooks for external moderators and Access to HE tutors, information for Chairs and members of recognition panels, and report guidelines. While some of these materials were under review at the time of the review visit, it was apparent

that they provided clear and comprehensive guidance for all those involved in the OCN's AVA activities. OCNSEM has also established an equal opportunities policy and it publishes an appropriate procedure for complaints and appeals and a tariff of charges.

45 The monitoring of the AVA's procedures is one of the areas for development that is identified by the *Account*. Since the last review, OCNSEM has experimented with a variety of mechanisms for evaluating its procedures and operations. These have entailed meetings between the Chief Executive and individual members of staff to evaluate procedures which fall into the latter's areas of responsibility, a 'whole team approach' in which all staff discuss their perceptions of the effectiveness of particular aspects of the network's operations; and an 'integrative approach' which includes the auditing of OCNSEM's operations against the licensing criteria of external agencies. A 'continuous improvement model' was adopted in August 2002 in which strengths and weaknesses are identified in relation to four 'key product/service areas': OCNSEM policy; regulatory requirements; the award of credit, NOCN qualifications and Access to HE qualifications; and services to external organisations and internal customers. This process results in the production of a self-assessment report and a continuous development plan. The Quality Committee is responsible for overseeing the self-assessment process and the Access Committee monitors progress on those items within the development plan which are relevant to the network's AVA activities. The potential effectiveness of this new procedure was demonstrated by the clarity and comprehensiveness of the documentation that it has generated and by the careful manner in which the documentation was considered at November 2002 meeting of the Quality Committee.

46 The OCN's information system was one of the 'key weaknesses' identified by the 2001-02 *Self Assessment Report*. This entry focused specifically on the delayed implementation of the NOCN OPUS database. The *Account* states that the AVA's database and data collection procedures are 'not sufficiently dynamic to accommodate all requirements' and that 'the separate identification of Access to HE learners on programmes with multiple exit routes' has proved difficult. This section of the *Account* concludes by identifying 'staff development on statistical analysis of data' and 'further improvements to systems of data collection' as areas for development. It is also stated that 'the AVA plans to further improve analysis of its own data, quantify its contribution to widening participation and (within the difficulties of data sets available) evaluate the relative success of its Access to HE learners against local, regional and national data'.

47 The remit of the Access Committee (see paragraph 26, above) includes a responsibility for ensuring that 'the AVA systematically collects reliable data and information in respect of Access to Higher Education provision and that it is used to inform practice and development'. The review team learnt from members of the committee that OCNSEM is impeded in its attempts to monitor students' progression through higher education by the fact that some of the institutions within the AVA do not themselves, apparently, record Access as an entry route. In view of the challenges posed by the external environment and by the demands placed on the AVA by its own strategic aims (including the need to give greater emphasis to the development of new provision and new modes of delivery), the team was encouraged to hear of the AVA's intention to undertake its own research. It was understood, however, that staffing shortages and the demands placed by other activities on development officer time have prevented the realisation of this objective. The team recommends that, in addressing the various problems that it has itself identified, OCNSEM should also seek to improve the skills of its staff and members in data analysis and interpretation. The objective of this work should be to maximise the value of statistical information for the purposes of enhancing the AVA's operations and lending greater sophistication to the formulation of its strategies for widening participation.

## Communications

48 The *Account* records the network's intention to develop further its 'engagement and communication with providers'. It was apparent to the review team that in doing so OCNSEM was building upon both formal and informal arrangements that are well established and effective. In its meeting with Access course leaders, the team was advised of the prompt and helpful communications from the AVA to providers and was told that the Access to HE Forum was experienced as useful in enabling the latter to keep abreast of national developments. The staff development opportunities offered to providers seemed, however, to be limited to subject-focused 'standardisation' meetings and sessions provided for course teams on request and on an ad hoc basis. This is consistent with the statement, within the *Account*, that the network's communications with providers are made on a 'need to know basis' and are 'tailored to the needs of the provider'. The current *Strategic Plan* commits the AVA to improving its communications with providers and, to this end, OCNSEM has set itself the target of re-establishing workshop-based Access Forum Meetings for practitioners. In the view of the team, this, together with the intention that the Forum should meet twice yearly, should assist the network in the task of engaging providers in discussions on issues of common interest and which have a more strategic and developmental focus.

49 The *Account* also states that the AVA will 'engage HEIs in a discussion of their wider relationship with the AVA that is additional to their representation on the committee structure'. The review team learned that the opportunities for HEI involvement in the work of the AVA are both extensive and effective. These institutions are well represented on the Access Committee, which, under the new constitutional arrangements described above (see paragraph 26, above), has been granted parity of status with the Quality Committee (on which HEIs are less well represented). Staff from HEIs also attend the Access to HE Forum, serve as moderators and as members of recognition panels, and have been involved in various developmental activities. The team noted that the AVA had recently acted to strengthen its partnership with HEIs, and it would wish to commend the network for its comprehensive and effective communications with both providers and institutions.

50 There are, however, two related matters that the AVA may wish to address. In the meeting between the review team and former Access students it became apparent that the latter had little knowledge of OCNSEM and of its AVA responsibilities, and that this could limit their opportunities for complaint or appeal. It was also noted that the publicity materials produced by providers made no reference to the status of the Access to HE Certificate as a national award.

51 The review team considered that the AVA had demonstrated that it met the licensing criteria under Principle 4 and that its management of its AVA responsibilities was essentially sound in its organisation and effective in its operation.

#### **Principle 5**

**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 recognition.**

#### **Programme development**

52 The *Account* states that 'since its inception OCNSEM has maintained a commitment to supporting and developing the work of Access to HE tutors'. Various examples of the developmental activities and support available to members are provided. They include the Access to HE Forum, participation in recognition panels and the opportunity to serve as moderators. The AVA also conducts 'standardisation' exercises in which members benchmark their provision against that offered by other providers within the region and in their particular curriculum areas. The primary means by which the AVA supports providers in the development of their programmes is through the work of the development officers.

53 The development officers 'promote Access to HE programmes at a provider level' and they are described by the *Account* as 'a key mechanism by which the AVA shares best practice and encourages providers to develop provision that contributes to widening participation'. This is illustrated in the *Account* by current work on the development of credit frameworks at two colleges for the purpose of increasing the flexibility of provision and maximising student choice. The *Account* acknowledges, nevertheless, a need for the AVA to be 'more proactive in developing new programmes to address widening participation and social inclusion'. The evidence already recorded in this report confirms this assessment (see paragraph 41, above). The review team would wish to endorse the AVA's own view that it should facilitate discussions between providers and HEIs over the development of new Access programmes. The team learnt that the development officer role does not currently extend to acting as a 'broker' between prospective Access providers and HEIs, and it recommends that the AVA considers the benefits of including this responsibility within the development officer remit.

#### **Programme validation and recognition**

54 The reports seen by the review team provide evidence of the efficiency of the recognition process and of the consistency with which it is applied. There are standard systems and procedures for the recognition of programmes. These are supported by standard format submission documents which contain helpful guidance on the completion of each section in accordance with the AVA's requirements, a leaflet which provides brief but clear instructions for panel members, and a guide for recognition panel chairs which offers comprehensive advice on their responsibilities for the conduct of events within the context of the AVA's procedures and requirements.

55 The AVA has recently taken action to improve the rigour of the recognition process by ceasing the former practice of allowing development officers to chair the panels that consider the proposals for which they have been responsible. The AVA requires the attendance of a minimum of two HEI representatives at recognition or approval panels, and panel chairs are responsible for ensuring that this requirement is met. On the basis of the panel reports seen by the review team, however, it would appear that there have been occasions when panels have proceeded to make recommendations for approval without the full complement of higher education representatives. Nevertheless, the team was assured by development officers, Access tutors and higher education representatives that they experience programme recognition as a rigorous process.

56 The provider representatives also confirmed that discussion at recognition panels extends, on occasion, to a detailed examination of the proposed curriculum and that while panel decisions are reached by consensus they do not themselves participate in this part of the process. Some of the evidence available to the review team suggested, however, that the rigour of the recognition process might be impaired by a tendency for panels to focus on points of detail at the expense of giving full consideration to the content and mode of delivery of a programme. It was also apparent that many programmes were recommended for approval with few, if any, conditions being attached. In the view of the development officers, this testifies to the thoroughness of the process which precedes the presentation of a proposal for recognition.

57 The Access Committee is responsible for the development and accreditation of Access to HE programmes. Following the conclusion of a recognition event, panel reports are considered by the Access Committee which 'ratifies decisions made at approval/recognition panel on behalf of the Board which itself has responsibility for the final approval of Access to HE programmes'. The Quality Committee also oversees the approval and recognition process. The minutes recording the Access Committee's consideration of proposals for recognition are very brief and this might reflect either or both the prevailing minuting style or an acceptance without full discussion of the recommendations of recognition panels. It is also possible that the work of the Committee is not well-served by the fact that while recognition panel reports provide a detailed listing of recommendations, they do not record in any detail the discussion that has taken place at a recognition event.

58 In view of the various points raised in this section, it is recommended that the AVA continues to consider how it might ensure that all aspects of proposals for recognition are given full attention by panels and by the committees to which they are responsible.

59 The review team concluded, on the basis of the evidence presented, that OCNSEM has in place procedures for the programme development and recognition which enable it to assure the quality and fitness for purpose of Access to HE programmes to which it grants formal recognition, and thus meet the requirements of Principle 5.

## **Principle 6**

**The organisation is able to safeguard the continuing quality of Access to HE programmes, and to secure the standards of achievement.**

60 The AVA has recently reviewed its moderation model, having recognised the need to accommodate changes in patterns of delivery in Access provision.

There are four 'tiers' of moderation, which fit into two broad types of provision: that which exists within large, college-wide credit framework structures for a range of OCN provision, and that which exists in specific Access programmes. All Access provision is overseen by one Access to HE Lead Moderator.

61 Within credit framework provision, the AVA appoints 'pathway moderators' to oversee broad delivery pathways. These moderators co-ordinate moderation and ensure standardisation of achievement across a number of 'routes' within a pathway, and across provision at different venues operated by a college. This role encompasses monitoring and evaluating the effectiveness of the overall management, organisation and delivery of the pathway within the framework. Pathway moderators confirm that a provider's internal moderation arrangements for Access are satisfactory. Within each Access pathway within a credit framework, the AVA also appoints discipline-focused 'route moderators' who are responsible for moderating groups of curriculum-based units to ensure standardisation. It is these moderators who have the responsibility for approving the award of the Access certificate. They also provide visit reports for the pathway moderator. These arrangements for moderating Access within credit framework provision only applied to two colleges at the time of the review.

62 Outwith credit framework provision, the AVA also appoints programme moderators who oversee the moderation of large programmes. They have a similar role to pathway moderators in that they oversee the monitoring and evaluation of the effectiveness of the overall management, organisation and delivery of the programme and confirm that the arrangements for internal moderation are satisfactory. They also have the responsibility for approving the award of the Access certificate. Supporting the work of programme moderators, where appropriate, are 'unit moderators' who are appointed by the AVA to ensure standardisation in groups of curriculum-based units in large, multi-disciplinary programmes. They provide visit reports and other information as requested by programme moderators.

63 Overseeing all of this is a Lead Moderator for Access. This post was introduced in 2002 in order to improve the process of monitoring and reporting to the AVA, to ensure standardisation across the different types of provision, to contribute to benchmarking exercises and to disseminate best practice. Having scrutinised a range of individual moderator reports and the Lead Moderator's, the review team was of the opinion that the creation of this post was a timely intervention by the AVA in maintaining control over the range of moderation models and types it had approved.

64 The Lead Moderator's report allows the AVA to evaluate, through a single point of reference, both its obligations to ensure adequate quality control of the awards for which it is responsible, and to monitor developmental activities planned in response to quality assessment. As the Lead Moderator notes in her report, the role allows for 'consistency in the monitoring, evaluation and review of Access to HE programmes and [assists] the AVA in raising standards across providers and moderators.' The report is both comprehensive and thorough in that it encompasses the AVA's entire Access offer and synthesizes areas of strengths and weaknesses with suggested action where necessary. These action points are then considered and endorsed as appropriate by the Access Committee and become part of what is referred to as the 'moderation team's' work plan for the following year. The review team noted that the role of Lead Moderator and its output was well understood by all parties and commends both the AVA and the Lead Moderator for developing and implementing the model in a robust and supportive manner. Although the report identified a number of areas for further development for providers and the AVA, with which the team would concur, there was clear evidence that the AVA was both fully aware of them and supporting their achievement as required.

65 One of the underpinning reasons that the 'moderation team' is working as such is the thoroughness of the AVA's approach to moderation training. All moderators are required to attend initial induction sessions and are invited to subsequent training events as necessary. The review team heard from moderators that this was both well regarded and supported. First line training is delivered by the AVA's Quality Assurance Officer and covers moderation procedures, sampling, assessment methods, internal moderation, requirements for the award of the Access certificate, trouble shooting and report writing. The process is supported by a comprehensive training pack with customised sections for Access. Specific training functions are also now addressed by the Lead Moderator. The AVA also supports its training and quality assessment processes by the use (since 2002) of a separate Access to HE Moderators' Forum. The team noted that, in combination, the robust approach to training and the creation of the moderators' forum provided an excellent structure and group identity to support the role of Lead Moderator.

66 Although the general thrust of what is described above is indeed commendable, the AVA has not yet developed a consistent and robust approach to the use of specified procedures for the award of Access to HE certificates. Although moderators were clear about the need to ensure completion requirements had been met at the point they confirmed the award, and the AVA

was rigorous in its systems for checking these, there was no common approach to the conduct and process of a final assessment meeting and the AVA was therefore unable to ensure equity of decision making. The review team noted the absence of any formal documentary guidance to tutors, college staff or moderators which ensures consistency and equity of practice. In order to ensure this, the team would expect the AVA to review its moderator guidance documentation to detail the function and conduct of final assessment meetings. The AVA will also need to ensure, as a matter of urgency, that it uses the correct version of the QAA Access logo on its Access certificates.

67 The review team noted that the formal process for appointment of moderators, as described in the *Constitution*, is via the AVA's Access Committee. The team could not find evidence, however, that this formality was observed at all times and noted that operational practice tended to overlook it. In the interests of ensuring that the appropriate authority and checks and balances built into the Access Committee's function can be observed, the team would expect the AVA to ensure that there are clear procedures for the appointment of moderators, and that the Access Committee's role in them is observed and recorded.

68 The review team concluded that moderation procedures were, in general, appropriate to their purpose and that the outcomes of the process provided the AVA with the necessary information to allow it to meet the licensing criteria under Principle 6. However, the AVA must, as a condition of licence, produce a revised Access to HE certificate, which includes the correct version of the QAA Access logo, in order to demonstrate that the licensing criterion relating to the regulation of the process for certification has been met in full.

### **Principle 7**

**The organisation is underpinned by structures and processes which enable it to review, evaluate and develop the Access to HE provision for which it has responsibility.**

### **Programme monitoring and revalidation**

69 The *Account* makes reference to the AVA's 'much improved reporting systems' and to the recent introduction of an annual cycle of review for all programmes. A standard report format for 'annual programme evaluations and reviews' (APR) is issued to providers, who are required to comment on the effectiveness of communications between programme tutors and centre managers; and to evaluate programme aims, guidance and support for learners,

the management and organisation of the programme, internal moderation, and certification and progression. Providers are also required to include a full response to comments contained within moderators' reports, outlining the action that they have taken in response to these comments.

70 The review team was told by Access course leaders that they found the APR exercise intrinsically valuable. They welcomed the emphasis placed by the APR on analysis, reflection and action, and in this respect they drew a contrast between the APR and their own centres' reporting requirements. While the *Account* identified a need for the network to 'further improve the standard and comprehensiveness of reports received', it was evident from the APR and moderators' reports seen by the team that the richness of the information that they offer should enable the AVA to discharge its responsibilities for monitoring the quality of Access to HE programmes. The team learned that moderator and APR reports are initially considered by officers on a blind sampling basis, and all reports are read by the Lead Moderator and by a member of the Access Committee (who, in turn, delivers an oral report to the Committee). It was concluded that sufficient safeguards are built into this procedure to ensure the identification of problematic reports and the full range of issues collectively raised by the APR and moderator reports.

71 Following the consideration of their APRs by the Access Committee, Access course leaders receive an action plan which is based, in part, on the original report and that submitted by the moderator. The moderator is then responsible for checking that appropriate action is taken by the provider. In cases of non compliance with the annual monitoring procedure, the AVA will organise 'quality improvement sessions', and reports on these are considered by the Access and Quality Committees. Although OCNSEM does not yet have criteria and a procedure for the suspension of programme recognition, these should be established by the end of the current session.

72 Although the *Account* did not provide details of OCNSEM's procedure for the revalidation of programmes, it was explained that the interim review that was conducted every three years has been replaced by the strengthened system of annual review and a quinquennial review. Quinquennial review is modelled on the procedure for initial recognition, with the same set of questions being addressed, but with the additional involvement of the entire course team, who are able to provide an evaluative perspective on the programme. The review team was informed that, while moderators themselves are not required to be present, the revalidation procedure makes use of their comments.

## **Programme development and enhancement**

73 Comment has already been made within this report on OCNSEM's approach to the development of its own activities and procedures, and of the Access to HE provision for which it is responsible (see paragraph 53, above). In recent years, the AVA has placed considerable emphasis on the development and application of procedures to ensure the quality and comparability of programmes and the consistency of student outcomes, and the success of this work is evident in the current operation of OCNSEM's arrangements for programme recognition, monitoring and moderation. The review team also learned that the network regarded its 'standardisation' process as the primary means by which academic standards are set and maintained. This is a process in which the Lead Moderator plays a key role and it entails the regional benchmarking of provision, practice and student work within particular curriculum areas. While recognising the benefits, the team considered that, in the further development of this process, the AVA may wish to consider the potential tension between measures intended to assure consistency of student outcomes and measures intended to ensure the fitness for purpose of individual programmes. In so doing, the AVA should seek to maintain the diversity of Access provision and guard against circumstances in which the standardisation process might militate against the development of new types of Access programmes that are customised to learner needs and provider circumstances.

74 The review team concluded that OCNSEM had structures and processes which enabled it to review, evaluate and develop the Access to HE provision for which it had responsibility and that the licensing criteria under Principle 7 had been met.

## **Conclusions**

75 Open College Network South East Midlands (OCNSEM) is a well-established AVA with strengths in a number of areas. It has established good communications and a productive working relationship with provider members and, more recently, with member HEIs, and it provides a service which is regarded as supportive and efficient by practitioners. In spite of frequent staff changes over a period of several years, the organisation's operations have been successfully managed, and appropriate direction for the AVA has been provided with the involvement and effective support of its committees.

76 It is unfortunate that the potential strength of OCNSEM's recently revised committee structure and the evident capacities of those who sit on its committees are circumscribed, to some extent, by its current legal identity. The organisation's position as a

subsidiary company poses unusual, but fundamental, challenges for this AVA. In their present form, the company's corporate instruments, and their legal authority, question - and could undermine - the authority of the structures through which the AVA operates and governs itself on a day-to-day basis. While the risks may not be immediate, with the likelihood of problems occurring being minimised by the benign intentions of those currently involved, the risks are nonetheless substantial, with wide-reaching potential consequences. However, the clear commitment of those involved in the business of the AVA should enable OCNSEM to address and overcome this particular obstacle and ensure that it is protected from any attendant risks.

77 OCNSEM is aware of the importance of thorough and rigorous quality assurance and, in general, it has established appropriate procedures, supported by clear and comprehensive guidance documentation, both in relation to its own internal operations and the provision for which it has responsibility. Recent work on moderation has strengthened that process, and the introduction of a Lead Moderator, in particular, has brought greater coherence to the process and a better overview of its effectiveness. Improvements in procedures for programme reporting, as well as moderation, should allow OCNSEM to make improved use of the outcomes of its quality assurance procedures and take forward the development of Access provision and enhancement of its quality.

78 While OCNSEM has, quite properly, addressed the need to assure consistency of outcomes on Access programmes, through involving practitioners in standardisation activities, the inherent risk that exists in pursuing a compliance approach to quality assurance, such as has been the direction of most of OCNSEM's quality assurance work, can weaken the stimulus to create opportunities for innovation and development. With a maturing approach to quality assurance, OCNSEM is in a position to ensure that enhancement and development work is encouraged in parallel with necessary compliance procedures and does not become a secondary concern.

79 The AVA's intention to address weaknesses in data collection and analysis should also improve its tools for evaluation of its own and providers' performance, and give it a better understanding of the trends and patterns which it observes. Work in this area will be necessary if the AVA is to add further substance to its particular contribution to widening participation in higher education.

80 OCNSEM has shown itself to be a reflective organisation in its preparation for AVA review, reviewing its own structures and processes and taking

advantage of the opportunities afforded by the process for critical self-appraisal and development. In areas where further development is advisable, the AVA shows itself to be aware of weaknesses, prepared to address problems and able to make change in response to changing circumstances. A number of the changes introduced as a consequence of this process, such as the change in status of the Access Committee and re-establishment of the Access to HE Forum, for example, have been, inevitably, only recently introduced or implemented. These and other changes provide opportunities for developing Access provision in the region, and the AVA's capacity for self-evaluation and managing change will be important in assessing the effectiveness of recent changes and the continuing development of the AVA.

### **Commendations**

81 The AVA is commended for (i) its comprehensive and effective communications with Access to HE providers and higher education institutions; and, (ii) in collaboration with the Lead Moderator, having developed and implemented the model of lead moderation in a robust and supportive manner.

### **The AVA licence**

#### **Review outcome**

Open College Network South East Midlands (OCNSEM) is awarded a **conditional** renewal of its AVA licence, with conditions to be met by the dates specified below.

#### **Conditions**

OCNSEM's AVA licence is renewed on condition that the AVA:

- i reviews and takes independent legal advice about its current legal status, with reference to the requirements of the AVA licensing criteria, and takes action to ensure:
  - a) that its constitutional basis is clear and there is no conflict of authority between the Board of OCNSEM Ltd (as represented in the Company's *Memorandum and Articles of Association*) and the membership of OCNSEM as a licensed AVA (as represented in the OCN's *Constitution*);
  - b) that the organisation is not subject to the risk of the undue influence of one of its members and that it is fully accountable to its full membership (paragraphs 19, 29 and 32);

Condition to be met by **1 October 2003**

- ii produces a revised Access to HE certificate, which includes the correct version of the QAA Access logo, as specified in QAA's *Guidelines on using and reproducing the Access to HE logos*, (1999) (paragraph 68).

Condition to be met by 1 June 2003

#### **Recommendations to the AVA**

The review team recommends that OCNSEM:

- i clarifies in relevant published documents the common rights, responsibilities and eligibility to vote of members and affiliate members, and updates the membership agreement appropriately to include reference to the Access Committee (paragraph 20);
- ii considers the extent to which its current staffing arrangements are capable of delivering the full range of requirements implied by the AVA's strategic aims and:
  - a) considers the inclusion of responsibility for acting as a 'broker' between prospective Access providers and HEIs within the development officer remit, and;
  - b) seeks to improve the skills of its staff and members in data analysis and interpretation, with a view to maximising the value of statistical information for the purposes of enhancing the AVA's operations and lending greater sophistication to the formulation of its strategies for widening participation (paragraphs 42, 47 and 51);
- iii continues to consider how it might ensure that all aspects of proposals for recognition are given full attention by panels and by the committees to which they are responsible (paragraph 58);
- iv ensures that the Access Committee's formal role in the appointment of moderators, as described in the *Constitution*, is observed and recorded (paragraph 67).

## 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 ARLC 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 certificate;

- 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.

