



Appeal to Review for Educational Oversight

Docklands Academy, London, March 2013

Introduction

Docklands Academy, London (the Academy) underwent a Review for Educational Oversight in November 2012. The Review resulted in the following judgements:

- **Limited confidence** in the College's management of academic standards for which it is responsible
- **Limited confidence** in the College's management and enhancement of the quality of learning opportunities
- **Reliance can** be placed on the accuracy and/or completeness of the information that the College is responsible for publishing about itself and the programmes it delivers.

The Academy was advised that it should either apply for a re-review, which would take place six months following publication of the review team's report, or that it should appeal the judgements of limited confidence judgements.

Under QAA's appeals procedure, an appeal can be made against a review team's judgement on the following grounds:

- **Procedure:** That the review team failed to carry out agreed procedures, or exceeded its powers, in such a way that the legitimacy of the decisions reached are called into question
- **Perversity:** That the review team's conclusions were unreasonable or disproportionate in the light of the available evidence. This may be because irrelevant matters were taken into account or relevant matters were not taken into account
- **New material:** There is material that was in existence at the time the review team made its decision which, had it been made available before the review had been completed, would have influenced the judgements of the team and in relation to which, there is good reason for it not having been provided to the review team.

The Academy submitted an appeal in February 2013.

Under QAA's appeals procedure, the appeal was referred to an Independent Reviewer. The Independent Reviewer may reject an appeal only where he/she decides there is no realistic prospect of the appeal being upheld. In all other cases, the Independent Reviewer will refer the appeal to an appeals panel.

The decision

The Independent Reviewer concluded that there was no realistic prospect of the appeal being upheld. As such, the appeal will not be referred to an appeals panel for further consideration.

Reasons

The Independent Reviewer noted that the Academy had lodged its appeal on all three grounds: Procedure, Perversity, and New material.

In relation to the claim that the review team failed to carry out agreed procedures and exceeded its powers, the Independent Reviewer concluded that there was insufficient evidence in the appeal to warrant further consideration by an appeals panel. The Independent Reviewer noted that the Academy claimed that the review team should have taken into account the outcomes of the already-graduated Institute of Administrative Management (IAM) programme. In the view of the Independent Reviewer, the past nature of this evidence meant that it was not directly relevant to the review. The Independent Reviewer also noted the repeated claims that the review team identified good practice which did not appear as such in the report. In the view of the Independent Reviewer, the Academy has interpreted statements made in the review team's report as 'good practice' usually on the basis that no recommendation had been made regarding improvement, rather than these examples constituting 'good practice' under QAA's definition.

In relation to the claim that the review team's conclusions were unreasonable or disproportionate, the Independent Reviewer concluded that sensible and fair judgements were reached based on the available evidence. No examples are given by the Academy where irrelevant matters were taken into account. The Academy claims that relevant materials were 'missed', 'ignored' or 'overlooked', but the Independent Reviewer was not able to identify evidence in the appeal to support this claim. The Independent Reviewer noted that the Academy repeatedly claims that the review team overlooked the use of ISO 9001:2008, but in the view of the Independent Reviewer this had little or no relevance to the management and enhancement of the quality of academic standards, or the quality of learning opportunities, and did not substantiate the claim that the review team's conclusions were unreasonable or disproportionate in the light of the available evidence.

In relation to the grounds of 'new material', the Independent Reviewer concluded that despite many claims that such material existed in the appeal, this was not supported by the evidence. It was noted that the following had occurred after the review: staff undertaking Preparing to Teach in the Lifelong Learning Sector (PTLLS) programmes, a review of the Quality Manual, a review of the organisational structure, and staff training on the Quality Code. This evidence could not have been available to the review team during the review. The Independent Reviewer did not find any evidence that there was material in existence at the time of the review that the review team wrongly did not recognise as relevant or decided not to use it.

On the basis of the above, the Independent Reviewer concluded there was no realistic prospect of the appeal being upheld by an appeal panel.