



Appeal to Review for Educational Oversight

Northam College, May 2013

Introduction

Northam College (the College) 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
- **Confidence** in the College's management and enhancement of the quality of learning opportunities
- **Reliance can** be placed on the accuracy and completeness of the information that the College is responsible for publishing about itself and the programmes it delivers.

The College 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 judgement of limited confidence.

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 College submitted an appeal in March 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 appeal panel.

The decision

The Independent Reviewer decided that the appeal should be referred to an appeal panel.

The Appeal Panel decided that the review team's judgement of **limited confidence** be confirmed. As such, the College's appeal was rejected by the Appeal Panel.

Reasons for rejecting the appeal against the limited confidence judgement

The Appeal Panel considered the College's claim that the judgement of the review team was flawed on the grounds of 'procedure', 'perversity' and 'new material'.

Procedure

Negation of QAA's 'no surprise' doctrine

The Appeal Panel considered the claim by the College in its appeal that the review team failed to raise concerns during the review visit in such a way that the College was able to respond to and present evidence to the review team to address these concerns.

The Appeal Panel also noted that the review team members, in their response to the appeal, stated that the College was informed of the issues and concerns being raised by the review team throughout the visit, and that the gravity of the recommendations was made clear to the College, and the College was offered the opportunity to provide further information or documents on the issues raised.

The Appeal Panel considered, on the balance of probabilities, the most likely account of events. On the balance of probabilities, the Appeal Panel concluded that it was unlikely that the College was not made aware of the issues and concerns of the review team during the visit. It would not have been normal practice for the review team to share with the College the likely judgement to be reached during the visit, or the category of recommendations to be made (essential, advisable, or desirable). However, the Appeal Panel found the account given by the reviewers to be compelling. The College facilitator was present in all meetings held during the visit, including the meeting where the review team reviewed their findings, and where the Review Coordinator sought the review team's views on likely recommendations. Therefore, the Appeal Panel concluded that it was unlikely that the College was not made aware of the gravity and scope of the concerns of the review team.

Course approval

The Appeal Panel noted that the College had claimed in its appeal that the review team had not raised any concerns about the way in which new courses were selected, nor had it requested a full set of documents on this theme.

The Appeal Panel noted that in the College's response to the reviewer's comments on the appeal, it was stated that the theme of new course selection had been identified with the College and the Review Coordinator had asked for evidence.

The Appeal Panel concluded, on the balance of probabilities, that this issue had been appropriately explored during the visit, and the College was given sufficient opportunity to supply evidence.

Assessment

The Appeal Panel noted that the College claimed in its appeal that the review team had undermined and questioned the external quality assurance verifier's analysis of student work by re-marking that work, and had not taken sufficient notice of the external verifier's report that had given the College's internal verification procedures a score of 'A'. The College had claimed that the review team had breached QAA procedure by re-marking student work.

The Appeal Panel considered that there was no evidence that the review team had re-marked student work, as claimed by the College. In the view of the Appeal Panel, the review team had followed standard QAA methodology by conducting an overall evaluation of

the standard of a sample of internally verified student work, and had identified concerns about the overall standard of work which had not been picked up as part of the internal verification procedure. Irrespective of the findings of the external verifier, the review team was entitled to undertake the exercise of sampling student work and identify any issues arising with the internal verification procedure. The Appeal Panel did not consider that this undermined the external verifier or the awarding body.

In conclusion, the Appeal Panel found no reasons to uphold the appeal on the grounds of procedure.

Perversity

Disregard of the awarding body

The Appeal Panel noted that the College stated in its appeal that the review team contradicted the awarding body's external verifier's view of assessment at the College, and that the judgement of limited confidence was perverse because it was a judgement on the awarding body rather than the College.

The Appeal Panel did not consider that there was a contradiction between the conclusion reached by the review team on a specific sample of work with that of the external verifier. The Appeal Panel considered that the review team was entitled to evaluate the overall standards reached in the internally verified sample provided and consider the robustness of the internal verification procedure. The Appeal Panel considers this was an appropriate judgement to make about the College's processes, and was not a judgement about the awarding body.

The level and number of recommendations

The Appeal Panel noted that the College stated in its appeal that the judgement reached by the review team was perverse because the judgement was based on only three advisable recommendations and no essential recommendations. While the College acknowledged that a limited confidence judgement could be based on advisable recommendations alone, the College felt that this was perverse because it had received only three such recommendations.

The Appeal Panel noted that it would not have been appropriate for the review team to make essential recommendations, given that the College had no current students, and that essential recommendations refer to 'issues which the review team believes are **currently** putting quality and/or standards at risk and hence require urgent corrective action'. The Appeal Panel affirmed that the advisable recommendations given were of sufficient scope and gravity to warrant a limited confidence judgement.

The Appeal Panel did not consider the number of advisable recommendations to be a relevant issue to determining whether a limited confidence judgement should apply, but the scope and weight of the recommendations.

In conclusion, the Appeal Panel found no reason to uphold the appeal on the grounds of perversity.

New material

The Appeal Panel noted that the College had stated in its appeal that the review team had not considered key course approval documentation at the time of review. The College was not able to provide this to the review team at that time due to the Principal being unavailable due to circumstances beyond the control of the College.

The Appeal Panel noted from the College's own appeal documentation that the issue of course approval was explored during the visit, and that the Review Coordinator requested further documents (academic administrative processes, sign-off processes). This material could have been provided subsequent to the visit, including in the appeal documentation. The Appeal Panel concluded, on the balance of probabilities, that the College was given sufficient opportunity to provide the relevant material to the review team before its judgements were finalised.

In conclusion, the Appeal Panel found no reason to uphold the appeal on the grounds of new material.