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Report of the External Review of British accreditation Council for Independent Further and Higher Education

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Publication date:
2015

Document Version
Også kaldet Forlagets PDF

Citation for published version (APA):
Jensen, H. T., Coy, M., Komljenovic, J., Skaburskiene, N., & Celmer, M. (2015). *Report of the External Review of British accreditation Council for Independent Further and Higher Education*. ENQUA. <http://www.enqa.eu/wp-content/uploads/2015/03/BAC-Final-edit-pdf.pdf>

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Report of the External Review of
***British Accreditation Council for
Independent Further and Higher Education (BAC)***

January 2015

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1. Executive summary

This report analyses the compliance of the British Accreditation Council for Independent Further and Higher Education (BAC) with the criteria for full membership of the European Association for Quality Assurance in Higher Education (ENQA).

BAC is working in a truly volatile political and regulatory environment and is aiming to bring transparency and accountability in the private sector of further and higher education in the United Kingdom (UK). For this purpose it uses rigorous inspection procedures relying on a professional inspectorate. Its environment is importantly influenced also by immigration rules of the UK which prove to be a challenge for BAC as well as for education institutions and other accreditation agencies. BAC has a long history and is perceived to be reliable and trusted organisation within the UK context.

It decided for its own restructuring two year ago. This resulted in changed rules for membership of its bodies, first steps towards inclusion of students, updated procedures and standards, and publishing inspection reports. This dynamic brought BAC closer the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and BAC has achieved a lot. The panel found that there are still, however, issues that BAC needs to improve on. Mainly they are connected to true inclusion of students and international experts, openness for input by stakeholders and partners, and internal coherent quality assurance.

The panel found that BAC fully complies with the following ESG: 2.1, 2.3, 2.6, 2.7, 3.1, 3.3, 3.2, 3.5, ESG 3.6, and ENQA criterion 8. It substantially complies the following ESG: E2.2, 2.5, 3.4, and 3.7, partially with: 2.8, and 3.8, and does not comply with the ESG 2.4. The panel had a thorough and careful thought regarding this particular standard and it wished to elaborate in detail its findings and rationale which is spelled out below in the text under the standard.

The panel wishes to confirm BAC's determination to improve and appreciates BAC's mission to cater for wider needs of society, in particular by bringing reliability in the private higher education sector. The panel wishes to address a number of recommendations for BAC that are elaborated in the last section of this report.

2. Glossary

BAC

British Accreditation Council for Independent Further and Higher Education

DAP

Degree awarding power

EHEA

European Higher Education Area

ENQA

The European Association for Quality Assurance in Higher Education

ESG

Standards and Guidelines for Quality Assurance in the European Higher Education Area

EQAR

The European Quality Assurance Register for Higher Education

FE

Further education

HE

Higher education

HEI

Higher Education Institution

QA

Quality Assurance

QAA

Quality Assurance Agency for Higher Education, UK

UK

United Kingdom

3. Introduction

This is the report of the review of the British Accreditation Council for Independent Further and Higher Education (BAC) undertaken in December 2014 for the purpose of determining whether the agency meets the criteria for Full membership of the European Association for Quality Assurance in Higher Education (ENQA).

3.1 BACKGROUND OF THE REVIEW PROCESS

The Statutes of ENQA require all member agencies to undergo an external cyclical review, at least once every five years, in order to verify that they fulfil the membership provisions.

In November 2004, the General Assembly of ENQA agreed that the third part of the ESG should be incorporated into the membership provisions of its statutes. Substantial compliance with the ESG thus became the principal criterion for membership of ENQA. The ESG were subsequently adopted at the Bergen ministerial meeting of the Bologna Process in 2005.

The third part of the ESG covers the cyclical external review of quality assurance and accreditation agencies.

The external review of BAC was conducted in line with the process described in Guidelines for external reviews of quality assurance agencies in the European Higher Education Area and in accordance with the timeline set out in the Terms of Reference.

The review panel for the external review of BAC was composed of the following members:

- Marion Coy, Independent Higher Education Consultant, President emeritus Galway-Mayo Institute of Technology, Ireland – Chair,
- Janja Komljenovic, Research Assistant, EU Marie Curie Doctoral Fellow, University of Bristol, UK – Secretary,
- Nora Skaburskienė, Acting Director, Head of Institutional Review Department, Centre for Quality Assessment in Higher Education, Lithuania,
- Henrik Toft Jensen, Associated Professor in geography, Roskilde University, Denmark – EUA nomination,
- Mateusz Celmer, student at the Wroclaw University of Technology, Poland – ESU nomination.

BAC produced a self-evaluation report (hereafter: SER) with appendices which provided a substantial portion of the evidence that the panel used to form its conclusions. The panel conducted a site-visit to validate fully the self-evaluation and clarify any points at issue. Finally, the review panel produced this final report on the basis of the SER, site-visit and its findings. In doing so, it provided an opportunity for BAC to comment on the factual accuracy of the draft report. The review panel confirms that it was given access to all documents and people it wished to consult throughout the review.

THE REVIEW PROCESS

Self-evaluation Report

BAC produced a SER (61 pages) and 58 appendices that were sent to the review panel prior to the site visit. The SER was prepared mainly by one of the BAC's inspectors and two other staff members, all of whom are experts at high level and internationally experienced. The Executive Committee and the Council were presented with the draft report and had the opportunity to comment before it was finalised.

The review panel found the SER and its appendices reasonably informative, well structured, and clear. The document provided a narrative of the history of BAC, but had some weaknesses in its elucidation of and commentary on some of the major challenges that confronted BAC in recent years. For example, the SER was not very analytical on how BAC faced the challenges and what were the institutional consequences of its fast expansion following legislative changes in 2007 (explained below) and then rapid contraction in 2011 again as a consequence of legislative changes. The SER would have benefited from a more systematic analysis of the strategy of BAC. In addition, it was difficult to establish what benchmarking of its strategy, policies and activities had been carried out as part of the process of preparing this SER.

The review panel also checked the other available documents that it found on BAC's web page such as inspections reports, blogs of the Chief Executive, information for the public, and the like. In addition, the review panel checked other available information about the sector that BAC is working in, like official national statistics, news, and so on. The information gathered proved to be helpful in preparing for the site visit and the identifying the issue that require special attention.

Site Visit

The review panel visited BAC's office in London between 9 and 10 December 2014. The panel held a telephone briefing with ENQA secretariat on 7 November 2014 and a preparatory meeting in London the day before the review to further discuss the SER and other available information. The experts also further discussed the initial lines of questioning and distributed tasks among themselves.

The site visit (see Annex 1 for the programme) was well prepared and organised. The panel met with different stakeholders, actors and groups of BAC representatives which resulted in gaining additional information and clarification. BAC offered strong organisational support prior to and during the visit. Its staff was available at all times and provided the panel with all necessary information and access to additional documents. Furthermore, BAC's support regarding the logistical organisation, transport and accommodation was of a very high order that the panel greatly appreciated.

Concluding the Report

During the visit and after the programme finished the panel members thoroughly discussed compliance of BAC with all of the ESG and ENQA membership criteria. They reached consensus on each criterion separately.

After the visit the review secretary prepared the initial draft report in cooperation with the chair and panel members. It was submitted to BAC for comments on its factual accuracy.

After receiving BAC's comments further revisions to the report were agreed between the review chair and review secretary, in consultation with the panel. The final text was then submitted to ENQA for further proceeding, and to BAC.

4. Context of the review

BAC is working with private or independent providers of further education (FE) and higher education (HE) in the UK, and most recently with different partners worldwide. Thus we will first provide a short overview of UK FE and HE system and the scope of private provision in the HE sector in comparison to the publicly supported one. Then we will offer information about regulation relevant for BAC and conclude with specifics on BAC.

Before proceeding the panel wishes to emphasise its understanding that BAC is a different agency than majority of its European counterparts and that diversity of QA systems which is stressed in ESG should be kept in mind. There are three main specifics that the panel wishes to mention at the beginning. First is that BAC activities range from QA for different education institutions many of which are not a part of HE, to consultancy and other work. Second is that BAC works in the sector that has long been neglected and continues to be very volatile. Not just regulation concerning education, but regulation concerning immigration is impacting BAC's work. In particular in recent years the British government has changed regulation quickly and it is difficult for BAC and education institutions to make stable strategies. The panel focused on BAC's work in HE where appropriate and where it could be separated from other operations. The panel would also like to stress that any recommendations that it makes should be understood in the context of HE. Third is that BAC's QA model is that of professional inspection that requires professional inspectorate and rigorous accreditation.

4.1 HIGHER EDUCATION IN THE UK

There are four different education systems in the UK: English, Welsh, Scottish and Northern Irish. Some differences between them are mainly deriving from different authorities that hold legislative responsibility over their education systems (UK and Scottish Parliaments, Welsh and Northern Ireland Assemblies). However, the systems are in effect very similar and offer same types of courses and

qualifications (source: British Council¹). It is not in the scope of this report to present regulative and funding differences between these four systems and they also proved not to be of particular relevance for BAC’s work.

The British system determines that HE institutions need to have degree awarding powers (DAP) should they wish to issue valid certificates / qualifications. The above mentioned authorities granted DAP to HE institutions through a Royal Charter, an Act of Parliament or by the Privy Council (a formal body of advisers to the Queen). Today new applications for DAP are reviewed by the Quality Assurance Agency for Higher Education (QAA) and the Government Department of Business, Information and Skills (BIS); and decisions on the conferring of DAP are taken by the Privy Council based on the review of QAA and BIS.

There are many types and sorts of education provision in the UK. By types we mean public, private, for profit, not for profit, British, and foreign institutions; and all possible combinations of those elements. By sorts we mean English language education, further education, foundation course provision, tutorial provision, online or distance provision, higher education, and so on. For better understanding of the types of institutions BAC is inspecting we will provide a short summary of them.

Education for students aged 16 or above in the UK is categorised as ‘further education’ and ‘higher education’. FE can be academic (aimed at preparing students for higher education) or vocational (aimed at skill training and preparations for careers). HE is for students above the age of 18 (or 17 in Scotland) first at the undergraduate level (bachelors degrees, foundation degrees, higher national diplomas and more) and after at the postgraduate level (masters degrees, PhDs, MBAs and more) (source: British Council²). Table 1 provides a summary of sorts of education and qualifications.

Table 1. Summary of the British education system for students aged 16 and above.

Sorts		Qualifications
Further education	Academic	<ul style="list-style-type: none"> i. A-levels and AS-levels (most popular route into HE in the UK) ii. International Baccalaureate (IB) Diploma Programme (alternative to A-levels) iii. Scottish Highers/Advanced Highers (offered by further and higher education colleges in Scotland and equivalent to the 1st year of HE)
	Vocational	<ul style="list-style-type: none"> i. The Diploma ii. National Vocational Qualifications (NVQs) and Scottish Vocational Qualifications (SVQs)
	Undergraduate	<ul style="list-style-type: none"> i. Bachelor’s or undergraduate degree ii. Foundation degree iii. Diploma of Higher Education

¹ <http://www.educationuk.org/global/articles/education-across-uk/>

² <http://www.educationuk.org/global/articles/students-16-and-over/>

Higher education		iv. Certificate of Higher Education v. Higher National Diploma (HND)
	Postgraduate	i. Master's degree ii. MBA courses iii. PhDs/doctorates iv. Postgraduate diplomas and qualifications (e.g. PGCE needed for teachers' qualifications) v. Professional and vocational qualifications (e.g. Legal Practice Course to become a solicitor) vi. Conversion courses

Sources:

<http://www.educationuk.org/global/articles/further-education-courses-qualifications/>

<http://www.educationuk.org/global/articles/higher-education-courses-qualifications/>

<http://www.educationuk.org/global/articles/students-16-and-over/>

BAC accredits both, institutions of FE and HE, and it works exclusively with the private providers.

The state funded HE institutions (thus not institutions that BAC would accredit) are still enrolling the majority HE students in the UK. BAC reports that there are about 160 state funded HE institutions in the UK with DAP. According to the latest available statistic (for the academic year 2012/2013) there were 2.340.275 HE students at those institutions, plus 186.455 HE students at FE colleges (source: HESA³).

As BAC noted in its SER there are no reliable statistics continuously gathered for the number of private education providers or for the number of students that they enrol. The latest available data source is from a study conducted by BAC and CFE for the Department of BIS in 2012⁴. It found that there were 674 private providers of HE in the UK that they could name. However, there were probably more operating as the survey could not capture all (source: BIS research paper no. 111). It found that approximately 160,000 students were studying in private HE institutions. Thus the number of students at private HE institutions is much smaller than in the public ones (but seems to be rising) and the number of private institutions is much bigger than the number of public ones. This is logical because the size of private HE institutions is quite small (most of them have less than 500 students).

Most private HE providers do not have their own DAP. The majority of them work in partnerships with universities, mostly in the form of validation (they offer higher education level programmes following validation and approval by the awarding partner, i.e. a university). Where a university works with a private provider in such a way, this particular relationship is subject to QAA evaluation since QAA is responsible for evaluating all universities with DAP. Where the private provider is offering HE level awards through a recognised awarding body, the Office of Qualifications and Examinations Regulation (Ofqual) is the ultimate regulating authority, with awarding bodies having

³ <https://www.hesa.ac.uk/pr/3226-press-release-208>

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207128/bis-13-900-privately-funded-providers-of-higher-education-in-the-UK.pdf

direct oversight of their centres' delivery of their awards. However, such review of QAA and Ofqual (Office of Qualifications and Examinations Regulation) focus only on validation of particular qualifications done by particular public institutions under their review. Private providers as such and in their entirety are not evaluated by national bodies.

In 1980 the UK government's Department on Education and Science announced its withdrawal from inspection and accreditation on FE and HE colleges as of April 1982. At the same time the government increased tuition fees for foreign students (non national and non-EU) at publicly funded FE and HE colleges. These decisions had several consequences. One of them was that private providers could compete with the public ones based on costs and fees and that it was rather easy for private providers to enter British HE system. The second was that data and information about the size and scope of private providers were not gathered systematically from that time.

To date the private FE and HE are not regulated and are not obliged to undergo any QA procedure. The only two ways that they are regulated are i. through validation procedures by institutions with DAP as described above or ii. indirectly through immigration control or in case of students applying for state loans. The fact that private education provision is unregulated results in big commercial interest. There are many private education providers that come and go and charge tuition fees. Some of them target the enrolment of foreign students that need visas, in particular non-EU students. The UK has a special visa for study purposes called 'Tier 4 visa' which is granted to students based on the guarantee of a 'highly trusted sponsor'. Since 2011 the status of highly trusted sponsor is given to education institutions with so called 'education oversight'. Education oversight is done by organisations that have competence from the government to do so (the educational oversight for private HE institutions with DAP was granted to the QAA and for private FE providers or English language colleges to the following organisations: Education Scotland, Education and Training Inspectorate, Independent Schools Inspectorate, Bridge Schools Inspectorate, Schools Inspectorate Service⁵). In other words, if an education institution wants to enrol foreign students who need visas and act as a sponsor to those students, they have to be evaluated or accredited by one of the agencies that are approved by the government. All of them are national bodies. Between 2007 and 2011 BAC had been given this status, but other private agencies had the same status too. In this period the government granted the rights to act as evaluation agencies also to private agencies including BAC. This status was withdrawn from all four private agencies in 2011.

BAC

BAC is an independent body, a company limited by guarantee and a registered charity. This is different to the situation in the majority of other European countries where QA agencies are mainly national bodies. However, it is not unusual in the UK context where comparable institutions have the same status (e.g. QAA).

5

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/381410/T4_Licence_and HT S_28_November_2014_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/381410/T4_Licence_and_HT_S_28_November_2014_FINAL.pdf)

BAC was established in 1984 to be the accrediting body for independent ‘post-16 education’ on voluntary basis. Its establishment is connected to the political and governmental decision at that time. Even though it was not completely clear how many and what kind of education providers were out there, it became evident that their share was not negligible. Moreover, some of private providers were perceived to be of questionable quality. Thus some actors like the British Council, some HE institutions and some private FE and HE institutions became concerned about the harm that non-desirable private providers could cause to the overall image of the British HE system. Discussions and consequent working party initiated by the British Council in 1981 recommended that an accreditation body be set up that would inspect FE and HE institutions on a voluntary basis. This led to the creation of BAC.

BAC was never officially the national authority for accreditation or evaluation of independent FE and HE institutions in the sense that it would be established by statute or would have a competency of accrediting FE and HE institutions guaranteed by law. It was always a totally independent organisation and institutions would voluntarily decide if they wished to be accredited by BAC. However, BAC had important recognition within the British system between 2007 and 2011 as mentioned above. This dynamic was reflected in the work of BAC so that the numbers of institutions that applied for BAC accreditation first increased substantially and then significantly dropped. Today BAC is recognised as one of the accreditation bodies for Student Visitor Visa purposes for short term courses⁶ as well as Business Visas, General and Family Visas and Child Visas when study is involved.

Since its creation in 1984 BAC has attempted to serve as a sort of quality seal meaning that it aspires to have its rigorous accreditation viewed as a guarantee of quality for FE and HE independent institutions. 35 institutions had been awarded accreditation by the end of 1985 and in the following years the number of accredited intuitions slowly grew reaching 82 in 1993 and 200 in 2005. As a consequence of above mentioned legislative changes in 2007 the peak for BAC was 540 accredited institutions in the academic year 2010/2011. As a consequence of the introduction of the Educational Oversight system and BAC’s accreditation no longer being mandatory for Tier 4 visa purposes in 2011 the number of accredited institutions dropped to 290 in 2013. Now BAC’s accreditation is again being used to serve as a guarantee of quality without official legislative impact for institutions. In July 2014 BAC accredited 253 education and training providers, with 231 operating in the UK and 22 abroad. The breakdown per accreditation scheme is as follows:

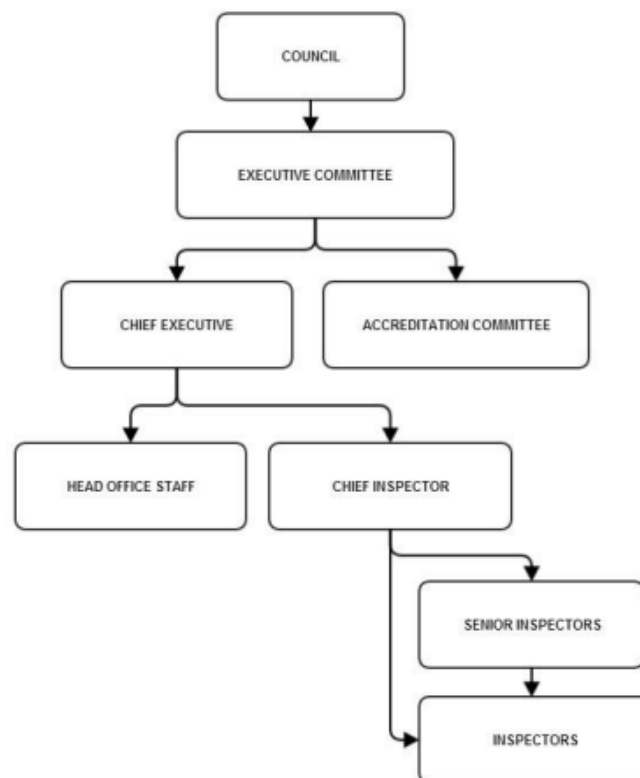
Type of FE or HE institution	Number of accredited institutions
College	118
Short Course Provider	98
Online, Distance and Blended learning	6
International Centre	2
IHEI UK	9

⁶ This is defined as follows: studying for up to 6 months to study a short course; or for up to 11 months to study an English language course; or if a student are enrolled on a course abroad that is at least equivalent to the level of a UK bachelor's degree, she/he can enter for up to 6 months to do research, or to receive tuition on how to conduct research, at a UK institution (source: <http://www.ukcisa.org.uk/International-Students/Preparing--planning/Visas-and-immigration/Student-Visitor-visa/>)

BAC has recently expanded its work and launched i. consultancy services in 2011 and ii. accreditation for online, distance and blended education as well as International Centre scheme in 2012. Moreover, BAC provides professional development opportunities for staff in the independent FE and HE sector, and runs a regular programme of accreditation-related and best practice seminars⁷.

BAC'S ORGANIZATION

BAC decision making structures are the following: the Council, the Executive Committee, and the Accreditation Committee. The organisational chart from the SER is the following:



The Council

Council members are nominated by different bodies from the British education sector:

- Universities UK (membership body for public universities)
- The Council of Validating Universities
- GuildHE (membership body for smaller public colleges and universities)
- The Association of Colleges (membership body for further education colleges)
- Accreditation UK, British Council

⁷ <http://www.the-bac.org/events>

- UK NARIC (National Academic Recognition Information Centre)
- Joint Council for Qualifications (JCQ)
- UK Council for International Student Affairs (UKCISA)
- Federation of Awarding Bodies (FAB)
- Professional and Statutory Regulating Bodies

Non-voting observers of the Council are nominated by the UK Government's Department for Education, Home Office and by Study UK. Currently it has 19 members and 2 observers.

The mandate of Council members is permanent and individuals stay as members until their nominating organisation replaces them with a new nominee. The fact that individuals nominated by government organisations like UK NARIC, UKCISA and so on are full members of the Council as well as that government representative is an observer shows that BAC is recognised by relevant authorities.

The Council acts as an advisory body, it approves annual reports and accounts, appoints auditors, members of the Executive Committee, and ratifies significant changes to BAC's conditions, standards and criteria. It meets twice per year and delegates authority to two committees, i.e. the Executive Committee and the Accreditation Committee.

Executive Committee

The Executive Committee has a dual role: as the Board of Directors of BAC as a company and as Board of Trustees of BAC as a charity. In this sense the Executive Committee has executive power as well as liability for all of BAC operations. It is important to note that this is a standard structure in the British context for not-for-profit organisations. Members of the Executive Committee work on a voluntary basis for the charity and do not receive fees for their work. Members are nominated by the Council for the period of three years and can be re-nominated once.

The Executive Committee provides strategic direction and exercises general oversight of BAC. Its members are drawn from the Council and it is chaired by the Chairman of the Council, Peter Williams. It has 8 members all of whom are also members of the Council. A student representative is a member of the Council, but not a member of the Executive Committee. The committee usually meets five times each year. The Executive Committee has one committee, i.e. the Accreditation Committee which reports to the Executive Committee, but the latter cannot overturn decisions made by the Accreditation Committee.

Accreditation Committee

The Accreditation Committee takes decisions on the award or withdrawal of accreditation, making its recommendations based on inspection reports of completed inspections and in line with the BAC accreditation policy and procedures. It also has the competence of reviewing the QA criteria used by inspectors in making judgements and recommendations. Members are appointed by the Executive Committee. It consists partly of members drawn from the Council and partly of others appointed by

virtue of their experience and expertise with regard to educational standards and are thus external to BAC. This committee currently has 10 members and one of the members is a student representative. The Committee usually meets five times a year. A “virtual” sub-committee may be convened using e-mail communication to discuss and take accreditation decisions. It embraces 5 members of the Accreditation Committee including the Chair. The sub-committee is convened as necessary in between the meetings of the full Committee.

The terms of reference of the committee include the following responsibilities:

- keeping under review the standards of provision or performance against which institutions which seek accreditation will be inspected and judged, and the criteria required for the award of accreditation
- deciding, on the basis of inspectors' reports and other evidence formally presented to it, whether an institution has met BAC's minimum standards for accreditation and whether such accreditation should be awarded, withheld, renewed, withdrawn or suspended
- considering on a regular basis any risks to BAC arising from its deliberations and decisions and from the activities and performance of accredited institutions
- reporting to the Executive Committee after each meeting of the committee and to the Council on an annual basis
- reviewing the Accreditation Committee's own performance on a regular basis.

Staff and office

Inspectors are recruited by the Chief Inspector who is also responsible for oversight of inspection processes and approved by the Accreditation Committee. BAC's committees and inspectors are supported by the staff who are led by the Chief Executive. Staff is also responsible for the day-to-day business of BAC, including management of inspections, oversight of the accredited institutions, and communications with the public and the sector.

[BAC'S FUNDING](#)

BAC is self-financed through annual accreditation fees, inspection fees and consultancy contracts and receives no public funding. It has significant reserves of around £810,000 and is currently financially fully secure.

As a UK charity, BAC is required to give an annual report and statement of accounts to the Charity Commission. Records for the year 2014 show that BAC had income of around £870,000 and spending of around £670,000.

[BAC'S PROCEDURES](#)

In this part we will focus only on procedures of QA as consultancy and events hosting is not relevant

for assessment of ESG compliance. At this point the panel only wishes to declare that it found sound evidence that BAC systematically ensures that there is no conflict of interest between consultancy and accreditation activities.

There are several schemes of accreditation that BAC conducts which correspond to different sorts and types of FE and HE that we described above. BAC accreditation schemes are the following:

Scheme	Target institutions
College scheme (including three sub-schemes: independent UK higher education institution, small college and tutorial college)	Independent education or training institutions in the UK that offers programmes of FE and/or HE
Online, Distance and Blended Learning scheme	The providers are established as a deliverer of online, distance or blended learning programmes as independent education or training institutions in the UK
Short Course Provider scheme, aimed at professional training organisations	Independent education or training providers in the UK that do not offer any programmes which extend beyond 26 weeks
International Higher Education scheme, aimed at institutions operating overseas which have a formal link with a UK university or UK awarding body	Independent educational institutions operating outside the UK as international HE institutions provided that one or more of the following requirements are met: <ul style="list-style-type: none"> <input type="checkbox"/> The institution is working in a formal collaborative partnership with a UK HE institution with DAP. The HE institution must be a Recognised Body as defined by the Department of BIS and on its list <input type="checkbox"/> The institution is working in a formal collaborative partnership with a Royal Chartered Body recognised as such within the UK <input type="checkbox"/> The institution offers programmes of FE or HE recognised by Ofqual at level 5 or above on the National Qualifications Framework (NQF) or the Qualifications and Credit Framework (QCF) in England or their devolved equivalents in Wales, Scotland or Northern Ireland. <input type="checkbox"/> The institution is in common ownership with a BAC-accredited institution operating in the UK.
International Centre scheme, for established international institutions that recognise the value of being assessed against UK standards but which do not have a formal link to institutions in the UK	Education institutions operating outside the UK and are licensed by a local, regional or national licensing agency, if such licensing is mandatory or holds accreditation from a nationally-recognised educational or professional body. In addition, institutions must offer teaching in English, should not be fully publicly funded and should predominantly teach learners aged 16 or over

Within these schemes BAC has several checking points in place that range from first accreditation, renewed accreditation, ad hoc visits, checking Annual Return data that can result in supplementary and spot check inspections, and top up reviews that include awards by other QA bodies such as QAA reviews (we will elaborate on these points later). BAC’s rationale is to check institutions’ compliance with standards at any point in time. BAC has also procedures for the consideration and mediation of any complaints, from students, staff, or the wider public, relating to its accredited institutions.

These checking points are parts of the above accreditation schemes which all follow the same procedure with the following steps:

- (International Centre scheme only – the institution submits Initial Scrutiny documentation)
- the institution submits an application for accreditation and supporting documentation
- a desk based review of this material is carried out by BAC staff, including taking of references and reviewing the financial position of the institution
- once all the required material has been signed off, an inspection is arranged and inspectors with suitable expertise and experience are allocated
- the institution is requested to submit a detailed self-evaluation and completed data collection form
- the inspection is conducted, normally over the course of at least two days, and an inspection report is produced by the lead inspector
- the inspection report is sent to the HEI for factual accuracy checking, and it is then presented to the Accreditation Committee, which makes the decision on whether or not BAC's standards have been met
- when accreditation is awarded, the inspection report is published on the BAC website.

After an institution applies for accreditation the inspections manager gives it advice and information about the procedure. The institution then submits a range of documentation providing evidence about its meeting BAC's standards and criteria. This is all checked by BAC's office staff that use pre-inspection checklist and is understood as stage 1 scrutiny procedure. The institution and office staff are normally in significant levels of communication during this stage. When staff confirms the application the Chief Inspector and the inspections manager designate the inspection team. Once this is done the institution submits a SER using a standard BAC format. The formats vary depending on the scheme of accreditation mentioned above.

When inspectors are nominated (they are either 1 or 2 inspectors depending on the size of institution; (where there are 2 inspectors, one is acting as the lead inspector) they are briefed by the office staff. The nominated lead inspector is then responsible for the overall detailed management of the individual inspection visit, and for writing the inspection report. All the pre-inspection material, together with any previous inspection reports, are sent to the inspectors. The lead inspector liaises with the institution and agrees all the arrangements for the inspection visit, which typically takes place over two days.

The inspection visit involves meetings with the institution's senior staff, a tour of institution's premises, examination of range of documents, observations of teaching on spot, meetings with institution's staff and students (key academic and managerial staff, representatives of teaching staff, students, administration, staff from student support services, final meeting with principal or director). During the visit inspectors also make sure the institution is working in line with other legal requirements of employment, health and safety, immigration and similar regulations *et al*). The inspectors are expected to carefully gather all documents necessary and keep the strict log of what has been seen. Inspectors are supposed to keep all the documentation and evidence in their archives for at least six months in case of appeals.

After the visit the lead inspector prepares the *inspection report* as well as the *inspection record* which acts as a checklist and evidence of what was seen at the visit and which meetings were held. This record also serves as a reminder that all BAC criteria have been checked. Based on the *inspection record* and other notes and records made during the visit the lead inspector completes the *data collection* form. The *inspection report* has to be agreed between the inspectors and completed within two weeks, and it is then submitted to the BAC office together with the list of documents seen and the *inspection record*.

BAC staff then review inspection reports. If there are numerous queries or the wrong template has been submitted, BAC staff may request amendments or, in exceptional circumstances, the re-submission of the report. Queries and requests for information or clarification may be directed to the lead inspector, either before or after the meeting of the Accreditation Committee takes place.

On the basis of the report, the committee will then reach a decision on accreditation. The committee has full delegated authority from the Council and Trustees to award, refuse, withdraw or suspend accreditation. The committee may defer the decision to accredit, pending the submission of further documentation, or the conducting of an additional supplementary inspection.

The post-accreditation report will be blind copied to the lead inspector at the same time as it is emailed to the institution. Lead inspectors may also be contacted to provide further information on the inspection or the report should an appeal be lodged following the Accreditation Committee's decision to withdraw or refuse accreditation.

If accredited, the inspection report and the accreditation decision are made public on the BAC website.

5. Compliance of BAC with the Standards and Guidelines for Quality Assurance in the European Higher Education Area

ENQA CRITERION 1 / ESG PART 2: EXTERNAL QUALITY ASSURANCE PROCESSES

ESG 2.1 USE OF INTERNAL QUALITY ASSURANCE PROCEDURES

STANDARD

External quality assurance procedures should take into account the effectiveness of the internal quality assurance processes described in Part 1 of the European Standards and Guidelines.

GUIDELINES

The standards for internal quality assurance contained in Part 1 provide a valuable basis for the external quality assessment process. It is important that the institutions' own internal policies and procedures are carefully evaluated in the course of external procedures, to determine the extent to which the standards are being met. If higher education institutions are to be able to demonstrate the effectiveness of their own internal quality assurance processes, and if those processes properly assure quality and standards, then external processes might be less intensive than otherwise.

Evidence and analysis

BAC states that its procedures should be seen as supportive and developmental as well as making a judgement resulting in an accreditation decision. BAC has developed minimum standards for each of its five main accreditation schemes described above, namely for the following institutions: 1. College (1.1 independent HE institution, 1.2 small college, 1.3 tutorial college), 2. Online, distance and blended learning, 3. Short course provider, 4. International HE, 5. International centre.

The inspection areas for each of the current schemes are the following (with the exception of 4. International HE) are the following:

- Management, Staffing and Administration
- Teaching, Learning and Assessment (Teaching, Learning and Achievement in the ODBL scheme)
- Student/Participant/Learner Welfare
- Premises and Facilities
- Management of Quality

Management of Quality and the institutions' QA procedures are assessed within each of the other four inspection areas for all of the accreditation schemes except for 2. Online, distance and blended learning that has five inspection areas.

The proposed (and not yet operational) International HE Institution scheme for UK and overseas institutions has the following inspection areas:

- Governance, Strategy and Financial Management
- Academic Management
- Teaching, Learning and Assessment
- Student Recruitment, Support, Guidance and Progression
- Premises, Facilities and Learning Resources

- Quality Management, Assurance and Enhancement.

BAC issues detailed schemes documents that act as handbooks for institutions and the general public about standards and criteria for inspection regarding each particular scheme. The panel verified that quality management is in fact reviewed by BAC inspectors at each institution.

Each of the inspection areas mentioned above has declared standards and each standard has subsequent criteria. All are publicly available in handbooks for specific inspection scheme. For example the college scheme has altogether 27 standards and each standard has different number of criteria within the standard. Number of criteria depends on the standard. For example standard 20 is “The fair treatment of students is ensured” and criteria of the standard are the following:

“20.1 Students apply for and are enrolled on courses under fair and transparent contractual terms and conditions

20.2 Students have access to a fair complaints procedure of which they are informed in writing at the start of the course

20.3 Students are advised of BAC’s own complaints procedure”

Altogether there are around 100 such criteria that are checked by inspectors varying to some extent for different schemes.

For each of the inspection areas it is known which documents need to be provided and checked by inspectors as well as which interviews are required at the site visit of institutions. Thus the criteria is very transparent in the sense that criteria are known in advance, which documents need to be provided in the time of application, which in the time of visit and interviews with which people will be done at the inspection / visit.

BAC standards and subsequent criteria to a big extent focus on the institutions’ own procedures. Standards for 1.1 – Independent HE institution, and 2 – Online, distance and blended learning are fully in line with the requirements. This means that the inspectors check if institutions have certain procedures in place that are defined in the criteria. For example, the ESG 1.3 (student assessment) for Independent HE scheme is reflected in standard 9: “Assessment is fair, well-organised and appropriate for the level and nature of the courses and students receive timely and supportive feedback on their work”. This standard then has 9 criteria like “Students are provided with an assessment schedule in which required coursework and revision periods are detailed in advance with clear submission dates”. Internal quality processes are specifically checked in most of the schemes and are noted transversally in other inspection areas.

Overall the panel found that BAC takes into account and checks internal QA of FE and HE institution and BAC’s criteria cover all of the standards in ESG part 1. This is only a part of the inspections areas of BAC, thus BAC’s evaluation is broader. The panel found that BAC is aware of the importance of consistency in judgments and strives to maintain such consistency in judgements by its inspectors and the Accreditation Committee. Furthermore, the panel would like to suggest that BAC consider how it could improve qualitative evaluation of internal QA systems of institutions and how it could

provide improved judgement about effectiveness and appropriateness of institutions' QA procedures.

Conclusion: Fully compliant.

ESG 2.2 DEVELOPMENT OF EXTERNAL QUALITY ASSURANCE PROCESSES

STANDARD

The aims and objectives of quality assurance processes should be determined before the processes themselves are developed, by all those responsible (including higher education institutions) and should be published with a description of the procedures to be used.

GUIDELINES

In order to ensure clarity of purpose and transparency of procedures, external quality assurance methods should be designed and developed through a process involving key stakeholders, including higher education institutions. The procedures that are finally agreed should be published and should contain explicit statements of the aims and objectives of the processes as well as a description of the procedures to be used. As external quality assurance makes demands on the institutions involved, a preliminary impact assessment should be undertaken to ensure that the procedures to be adopted are appropriate and do not interfere more than necessary with the normal work of higher education institutions.

Evidence and analysis

First aims, objectives, and standards of BAC inspection procedures were determined at the time of its establishment and provide the basis of its work since then. Naturally standards have changed since and currently they are determined by the Accreditation Committee working with the Chief Inspector and other inspectors.

BAC updated its inspections schemes two years ago. The inspection areas and standards in different schemes remained more or less the same and are stable, but detailed criteria for each standard were elaborated and new templates for the inspections reports were created. BAC held a consultation on the revised procedures in 2012 with inspectors, members of the Accreditation Committee, and some members of the Council and the Executive Committee. It then had a pilot stage and when the first inspections had been completed a sample report was sent to institutions for feedback on the experience of the pilot stage. The Accreditation Committee was thoroughly involved at all stages in overseeing and approving both the new accreditation methodology and the new inspection report documentation associated with it.

The panel did not witness sound evidence about impactful consultation with key stakeholders in developing procedures, standards, and criteria of BAC. Even the consultation in 2012 that was mentioned, other stakeholders like students or other representatives of HE sector and government were not included. BAC explained this approach as arising from the nature of the sector that it works in. First, the sector is unregulated and the government is involved through having its representative as an observer in BAC's Council. Second, the institutions that BAC accredits vary enormously and short course providers are now the largest single grouping in BAC's clientele. BAC explains that the standards need to be rigorous and straight forward and that historic stability is achieved by their

approach. The panel was not persuaded by these arguments. However, the panel learned from the interviews that institutions can make comments about procedures when they are in communication with BAC and this is discussed at the Accreditation Committee.

Regarding publicly available specification of processes, aims, objectives, and standards the panel found all relevant documents to be published online and easily accessible to applicants and the general public. In addition to information, all relevant templates are available for download from the internet. The clarity and availability of documents is indeed impressive.

BAC has evaluation of its inspections procedures as an integral part of its processes. There are two main evaluations: one filled by the institution under inspection and the other filled by inspectors. However, for institutions they are mainly evaluations of inspection experience in the sense of satisfaction with support of BAC office or behaviour of inspectors. For inspectors it is evaluation of institution's cooperation and availability of evidence. The evaluation of standards and procedures as such are not included in these evaluations (e.g. if standards and criteria or procedures are appropriate).

To sum up, the panel believes that BAC's procedures, standards, and criteria are transparent and widely available. On the other hand, they were not prepared in consultation with wider key stakeholders. Testing fitness for purpose of BAC's criteria is not systematically and periodically integrated in BAC's work.

Conclusion: Substantially compliant.

Recommendation: The panel would like to recommend that BAC changes its way of updating its procedures and standards so that it better includes wider variety of key stakeholders (students of BAC's accredited institutions, accredited institutions, representatives of the sector, government and so on).

ESG 2.3 CRITERIA FOR DECISIONS

<p>STANDARD</p> <p>Any formal decisions made as a result of an external quality assurance activity should be based on explicit published criteria that are applied consistently.</p>
<p>GUIDELINES</p> <p>Formal decisions made by quality assurance agencies have a significant impact on the institutions and programmes that are judged. In the interests of equity and reliability, decisions should be based on published criteria and interpreted in a consistent manner. Conclusions should be based on recorded evidence and agencies should have in place ways of moderating conclusions, if necessary.</p>

Evidence and analysis

As described above all of BAC's procedures, standards and criteria are transparent, clear and published online including forms and any relevant documents. In addition, BAC is clear which documents institutions should send at the point of applications, which will be checked during the visit as well as interviews with whom will be conducted and what will be checked by inspectors in the form of observation. The panel thus believes that processes and procedures are consistent between all institutions that undergo BAC accreditation.

BAC also puts much attention on consistent decision making in accreditation decisions. BAC aims to achieve consistency in the interpretation of the standards and criteria by inspectors through annual training sessions of its inspectors. These include group work on illustrative case studies that are designed to support consistency of practice. Consistency is also achieved through BAC office staff that check all inspection reports that are submitted by inspectors after site visits. In practice this means that the staff gets in touch with inspectors every time they sense there might be inconsistency in judgement or the report. In such case inspectors are motivated to review their reports and decisions. This process requires an appropriately qualified and trained professional administration and will be the subject of further comment in relation to the resources available on an on-going basis in the BAC administrative structure.

The Accreditation Committee makes accreditation decisions and it is assisted by the Chief Inspector who reads all reports with the remit of providing expert and specific advice as necessary. Moreover, BAC formally states the need for consistent and sound decision making in the Terms of Reference of the BAC Accreditation Committee: 'To keep under review the standards of provision or performance against which institutions which seek accreditation will be inspected and judged and the criteria required for the award of accreditation'. The Accreditation Committee compares reports with a view to the quality of information, the provision of evidence, and the basis for inspection judgements. Reports are presented to the Committee anonymously so that any preconceptions regarding authorship are avoided. The Committee may decide on the referral or modification of a report if it is found to be inconsistent or below the expected standards.

Most important in BAC's reviews are action points that are judged to be of 'high priority'. If an institution receives any of these judgements, the Accreditation Committee is likely to defer the decision on accreditation until the action point has been addressed. This could be by means of the provision of documentary evidence or by requiring a supplementary visit. BAC ensures that these judgements of 'high priority' are consistently applied across different institutions and reviews.

The panel found that BAC's procedures, standards, and criteria are transparent, clear, publicly available and used in a consistent manner in BAC's decision-making process.

Conclusion: Fully compliant.

ESG 2.4 PROCESSES FIT FOR PURPOSE

STANDARD

All external quality assurance processes should be designed specifically to ensure their fitness to achieve the aims and objectives set for them.

GUIDELINES

Quality assurance agencies within the EHEA undertake different external processes for different purposes and in different ways. It is of the first importance that agencies should operate procedures which are fit for their own defined and published purposes. Experience has shown, however, that there are some widely-used elements of external review processes which not only help to ensure their validity, reliability and usefulness, but also provide a basis for the European dimension to quality assurance. Amongst these elements the following are particularly noteworthy:

- insistence that the experts undertaking the external quality assurance activity have appropriate skills and are competent to perform their task;
- the exercise of care in the selection of experts;
- the provision of appropriate briefing or training for experts;
- the use of international experts;
- participation of students;
- ensuring that the review procedures used are sufficient to provide adequate evidence to support the findings and conclusions reached;
- the use of the self-evaluation/site visit/draft report/published report/follow-up model of review;
- recognition of the importance of institutional improvement and enhancement;
- policies as a fundamental element in the assurance of quality.

Evidence and analysis

Overall BAC has procedures, standards and criteria in place that are fit for its stated objectives and aims. However, the panel found there are some fundamental elements which are not yet implemented in a thorough manner.

Experts who are performing inspections are all professional inspectors that are trained by BAC and meet annually for recurrent trainings. BAC has an Inspectors' handbook explaining all procedures and relevant matters that is updated every year and has to be followed. All inspectors are included in a BAC database from which individual inspectors are appointed for performing inspections and site visits. BAC takes great care that all of its inspectors have appropriate skills and are competent for inspections. As mentioned previously, evaluations of inspectors are done after each inspection by the FE or HE institution that was reviewed. Moreover, the Chief Inspector and senior inspectors conduct monitoring visits to inspection teams whilst an inspection is underway. Inspectors are informed if an inspection is going to be subject to a monitoring visit. Inspectors are also required to complete feedback forms after each inspection. The panel found the inspectors to be highly professional, very motivated and thoughtfully reflective. Even though they are not employees of BAC (but work as sub-contractors), they are working as BAC's appointees having high impact on BAC's outcomes and brand.

The procedures are constructed so that BAC receives all evidence necessary to evaluate compliance with its stated standards and criteria. BAC also recognises the relevance of institutional enhancement and accreditation decisions which result in final reports that also include recommendations for institutions are subject to later review. The procedures follow the model: institutional self evaluation

– site visit – report – decision – published report. The panel notes that only reports resulting in positive decisions are published.

Following its rigorous inspection procedures BAC's aim is to ensure that accredited institutions are constantly monitored in order to verify that the accreditation criteria are being met constantly at any point in time and not just at the time of site visit. Thus BAC developed several possible checks or types of inspection. They are: i. full accreditation inspection, ii. staged inspections for new institutions, iii. supplementary inspections, iv. top-up inspection, v. interim inspection, and vi. Spot-check inspection. All of these checks indeed prove that BAC is fulfilling its aim to monitor institutions at all times.

i. Full accreditation inspection: Institutions applying for accreditation and which have been established for more than 12 months, or have already begun teaching students enrolled on their courses, undergo a single, full accreditation inspection. It assesses whether and to what extent the institution meets BAC's minimum standards in each of the inspection areas as detailed in the relevant scheme document.

ii. Staged inspections for new institutions: New institutions, applying for college or short course provider accreditation, which are based in the UK and have been in operation for less than 12 months and have not yet begun teaching, are subject to a staged inspection process. There are stage 2 and stage 3 inspections (as the stage 1 is considered to be the scrutiny check of documentation done by the BAC office staff which is done for every evaluation). The Stage 2 inspection focuses on compliance with the minimum standards for premises and facilities, management, staffing and administration and documentation relevant to student welfare. The inspectors also make an initial assessment of academic resources in the light of the institution's advertised academic programmes. It is normally a one-day inspection conducted by one or two inspectors, depending on the size of the institution and the number of sites at which it operates. The Stage 3 inspection focuses on the educational provision and the institution's own procedures to monitor and enhance the quality of its provision. It will normally be either a one-day inspection by one or two inspectors or a two-day inspection by one inspector, depending on the size of the institution and the number of sites at which it operates. The inspection will assess the extent to which minimum standards have been met in teaching, learning and assessment, student/participant welfare and other matters of quality assurance within the organisation. The inspector(s) will also hold a meeting with one or more group of students/ participants, and conduct a spot check of any areas of concern noted in the Stage 2 inspection report.

iii. Supplementary inspections: A supplementary inspection is normally carried out either after the deferral of a decision on accreditation or after a significant change in the premises, management or academic programmes at the institution. It may focus on a number of specific issues or it may look at a broader range of areas. BAC is able to detect significant changes as it annually collects reports of its accredited institutions as well. In addition, BAC as a rule demands institutions to report when any significant change occurs. A supplementary inspection is normally carried out by one inspector and normally lasts for one day or half a day.

iv. Top-up inspection: BAC formally recognises the quality assurance processes of a number of other inspection and review bodies and where appropriate will consider top-up inspections of those institutions which have undergone such a process. Such recognised evaluations that BAC takes as a basis and only performs top up inspection that are not as extensive are the ones that are officially recognised within the British regulatory system:

- Accreditation UK for English language providers currently accredited by the British Council;
- Institutions registered with the Department for Education as an independent school and which have undergone an inspection by Ofsted, the Independent Schools Inspectorate (ISI), the Bridge Schools Inspectorate (BSI) or the School Inspection Service (SIS) under section 162a of the Education Act 2003;
- Institutions which have received a confidence judgement from one of the educational oversight bodies designated by the UK Border Agency (like QAA).

It is important to note that in the case of top up inspections BAC still checks all of its standards and criteria that are not part of evaluation of the above mentioned bodies. For example, QAA checks academic provision and BAC would inspect all other areas from its standards.

v. Interim inspection: All accredited institutions are required to undergo an interim inspection part of the way through each period of accreditation. Interim inspections are designed both to ensure that the minimum standards required for accreditation are being maintained and to assess the institution's progress in responding to the action points listed in their last inspection report. They also provide an opportunity for the institution to discuss with inspectors any changes which have taken place since the previous inspection and inform them of any planned developments.

vi. Spot check inspection: A spot check is an inspection removed from the normal accreditation process and which is not usually arranged with the institution in advance. BAC may or may not give the institution prior notification of an impending spot check inspection. There are two kinds of spot check inspection:

- spot check inspections are carried out each year on a number of accredited institutions, selected at random, as part of BAC's ongoing monitoring process of its accredited institutions;
- a spot check inspection may be ordered at the discretion of BAC based on different reasons such as failure to submit annual reporting or responding to any BAC enquiry at any point in time.

Spot check inspections were not done in the past two years due to BAC reconsolidation (discussed in the Introduction of this report), but have started again the past months which the panel verified at the site visit.

The panel finds that BAC fulfils most of elements of this particular ESG. However, the panel found the following important deficiencies that need special attention: student involvement, international involvement, and systematic evaluation of fitness for purpose.

Regarding student involvement the panel finds that BAC started working on including students after restructuring two years ago and there seems to be an attempt to change BAC's organisational

attitude towards the inclusion of students. BAC appointed a student in its Council and Accreditation Committee, but not in the Executive Committee. BAC is in the pilot phase of testing how it could include students in inspections and it performed one pilot inspection that includes a student (the same one who is a member of the Council and the Accreditation Committee) and two more are already concretely planned. However, the panel finds that the kind of student involvement that BAC showed does not fulfil the ESG criteria and that BAC could do more. First, the student that was appointed is a PhD student of a public British university. The panel witnessed impressive work of this student and is not in any doubt of her valuable contribution. However, this student is not a representative of the student body of BAC accredited institutions or of the sector BAC is working in. Second, this PhD student was found through an advertisement on the BAC's web page, she applied for the position, was interviewed by the Chief Inspector and was nominated by the Executive Committee. She is the only member of the Council that was recruited in such a way, all of the others are nominated and appointed by an organisation according to BAC's rules (BAC articles of Association) and in some cases were invited to join. In addition, she is a student that is acting as a student representative in the pilot stage of student inclusion in inspections even if she is a member of the Accreditation Committee. It is important to note that she does exclude herself from decision making about accreditation of institutions that she inspected in line with the procedures on conflict of interest (so far one). But this practice is not allowed for any other members of the Accreditation Committee. It used to be BAC's practice before that member of the Accreditation Committee could do inspections, but not since BAC's restructuring. This proves a treatment of student representative as unequal to other members of the Council as well as to other members of the Accreditation Committee. The panel also found that BAC did not consider consulting its accredited institutions (not even higher education providers) on how to include students nor did it advertise the student position at those institutions. Student representatives that the panel interviewed confirmed the panel's concerns about the appropriateness of a PhD student of a public university representing student body of BAC accredited institutions. Student representatives interviewed by the panel did demonstrate the feasibility of getting meaningful student engagement in BAC's activities.

Regarding involvement of international experts the panel found that BAC did not seriously consider including them in their structures or inspection procedures. BAC's rationale is that it has a specific task in the British context, i.e. aiming to provide order and transparency in unregulated independent FE and HE sector in the UK. This is without a doubt an admirable and much needed aim. Moreover, a huge majority of BAC's members (Council, Executive Committee, Accreditation Committee and inspectorate) have rich and invaluable international experience. However, international experts with often intangible knowledge from different regulatory, political and cultural contexts could benefit and enrich the work of BAC. The panel does not want to prescribe the types of international involvement but does strongly encourage BAC to consider what would be the most appropriate ways of including international experts at different levels in its activities.

In both cases the panel understands the specifics of BAC's inspection approach that is argued by BAC. In other words, if BAC performs inspections conducted by professional inspectorate, this should not be the reason not to consider how students and international experts could contribute to BAC in a meaningful way. The panel suggest that BAC considers what could be new and appropriate models of

including them to contribute to the procedures, standards and work in general. The panel heard some suggestions even from student representatives at the interview it conducted with them at the site visit and believes BAC is capable of finding its own way.

Regarding systematic assessment of fitness for purpose the panel found that BAC indeed has certain elements in place, in particular all of the ways that procedures are discussed and evaluated by inspectors and the Accreditation Committee. But consultations with stakeholders or impacts of using these particular standards and criteria are not systematically tested with stakeholders. It seems that there is over reliance on the high competences of individuals in BAC's structures in the sense that highly competent people working for BAC are able to assess fitness for purpose by themselves. The panel by no means disputes their competences and experiences. However, the panel believes that stakeholders would still provide different views and BAC might see impact of its work in a different way if it would consult them more systematically. The panel also encourages BAC to continue using more than one inspector in the first full accreditation of HE providers as the use of just one inspector in such circumstances would be highly problematic.

Last but not least, the panel also has concerns with usage of BAC's logo by its accredited institutions. When BAC inspects an institution based in the UK that has overseas operations (either franchises or branch campuses) or operations at other locations in the UK, the institution can chose for which location it wants to be accredited. BAC then allows them to use the logo of BAC accreditation that specifically states for which location it is granted. However, the panel believes this practice is still of high risk of confusion for the general public. For example, if a student wants to study at an institution's franchise in country x and that institution has BAC accreditation in UK, the student is highly likely not to be able to differentiate for which location this logo is granted. In particular this is problematic in today's time of easy internet access when a student from any country in the world visits the webpages of a main institution that has BAC's logo. In effect this means that there is no regulation for branches or franchises of independent institutions. The panel acknowledges the difficulties in providing oversight in this area but believes it must be addressed as part of the on-going review activities of BAC.

Conclusion: Non-compliant.

Recommendation: The panel recommends that BAC consider how to include students and international experts in a meaningful and impactful way to provide benefit for its strategy, procedures, and standards with particular reference to the HE component of its work. In this respect the panel recommends that BAC uses and consults stakeholders. In addition, the panel recommends that inspection visits for full accreditation are not done with just one inspector.

ESG 2.5 REPORTING

STANDARD
Reports should be published and should be written in a style that is clear and readily accessible to its intended readership. Any decisions, commendations or recommendations contained in reports should be easy for a reader to find.

GUIDELINES

In order to ensure maximum benefit from external quality assurance processes, it is important that reports should meet the identified needs of the intended readership. Reports are sometimes intended for different readership groups and this will require careful attention to structure, content, style and tone. In general, reports should be structured to cover description, analysis (including relevant evidence), conclusions, commendations, and recommendations. There should be sufficient preliminary explanation to enable a lay reader to understand the purposes of the review, its form, and the criteria used in making decisions. Key findings, conclusions and recommendations should be easily locatable by readers. Reports should be published in a readily accessible form and there should be opportunities for readers and users of the reports (both within the relevant institution and outside it) to comment on their usefulness.

Evidence and analysis

Inspection reports are published on BAC webpage, but they are not very easily found. The panel did not find them easy to locate and students interviewed by the panel reported the same problem. The visitor of its webpage has to go into specific directory and make several routes around the webpage to find reports. Moreover, not all reports are published, only those reports resulting in positive decisions.

The reports are standardised and are to a large extent in the form of a check list of BAC standards. Thus at the beginning a very short introduction about the institution is offered and the short information about the review process. Then the report provides tables with standards and subsequent criteria that are then checked under the category 'yes' or 'no' depending whether they are fulfilled or not. Under each standard there is a space for short comments by inspectors that can be made. At the end of reports there is space for recommendations.

BAC created the new template for reports two years ago with the specific purpose for them to be published and easy to understand. Thus all reports of inspections after this change and resulting in positive decisions are now published. The panel appreciates this accomplishment. However, the panel believes the reports are not that easy to understand. A potential student may not be able to create a picture about the quality of an institution based on the checklist of 26 or so standards and even more criteria. A summary of strengths and weaknesses that should appear at the end of report is in most cases non-existent or very short.

The structure, style, tone, and analysis of an institution's quality are opaque and it may be difficult for an external reader to arrive at an informed decision about the quality, effectiveness and responsiveness of that institution. There is also no preliminary explanation to enable a lay reader to understand the purposes of the review, its form, and the criteria used in making decisions.

Conclusion: Substantially compliant.

Recommendation: The panel recommends BAC to consider if the structure, style, and content of inspection reports are useful for judgment of potential students, their parents and general public. In addition, navigation to reports should be made clearer and simpler. Furthermore, the panel asks BAC to consider how reports with negative decisions could be presented to the public.

ESG 2.6 FOLLOW-UP PROCEDURES

STANDARD

Quality assurance processes which contain recommendations for action or which require a subsequent action plan, should have a predetermined follow-up procedure that is implemented consistently.

GUIDELINES

Quality assurance is not principally about individual external scrutiny events: It should be about continuously trying to do a better job. External quality assurance does not end with the publication of the report and should include a structured follow-up procedure to ensure that recommendations are dealt with appropriately and any required action plans drawn up and implemented. This may involve further meetings with institutional or programme representatives. The objective is to ensure that areas identified for improvement are dealt with speedily and that further enhancement is encouraged.

Evidence and analysis

BAC is performing rigorous accreditation in form of inspections. However, it aims at institutional improvement and it has built follow-up into its procedures.

Follow-up is specifically seen in re-accreditation when comments and action points of previous period are considered. Furthermore, interim inspection in the middle of accreditation period are performed in which BAC follows up institutions' implementation of action plans, checks any developments, changes and communicates with the institution about any questions or comments of its situation. BAC also follows up institutions annually through reporting that institutions are submitting in the form of documentation. In case of any concerns BAC has holds discretion to decide for spot check inspection.

The panel thus finds follow up procedures are strong and well in place.

Conclusion: Fully compliant.

ESG 2.7 PERIODIC REVIEWS

STANDARD

External quality assurance of institutions and/or programmes should be undertaken on a cyclical basis. The length of the cycle and the review procedures to be used should be clearly defined and published in advance.

GUIDELINES

Quality assurance is not static but a dynamic process. It should be continuous and not "once in a lifetime". It does not end with the first review or with the completion of the formal follow-up procedure. It has to be periodically renewed. Subsequent external reviews should take into account progress that has been made since the previous event. The process to be used in all external reviews should be clearly defined by the external quality assurance agency and its demands on institutions should not be greater than are necessary for the achievement of its objectives.

Evidence and analysis

As already mentioned several times BAC seeks to ensure that the Institutions it accredits follow a continuous pattern of improvement and consistently maintain standards. Thus it has several follow up procedures in place.

First, accredited institutions are re-accredited every four years. BAC expects that accredited institutions will develop and improve their processes over the period of accreditation, and that they will address action points identified in previous inspections over that period. Six months before the accreditation expires BAC office will contact the FE or HE institution and start the procedure for re-accreditation should institution wish to be re-accredited. It should be noted that as accreditation is a voluntary undertaking by participating institutions, they can choose to withdraw at any time from the process. They do so by simply not paying the annual fee. It can be difficult for BAC to ensure that an institution that withdraws in this manner complies with the requirement to stop using the BAC accreditation logo.

Second, BAC performs periodic monitoring of accredited institutions involving annual data returns, and reports on actions taken and changes made. Institutions can also contact BAC for information and advice. In this way a regular pattern of communication is maintained with the BAC office.

Third, BAC performs interim inspection. This takes place after one year for newly accredited institutions, and for others at the mid-point of the four-year accreditation cycle. The interim inspection takes the form of a half-day inspection visit, which gives particular attention to the action points detailed in the most recent inspection report, and assesses progress. The interim inspection can also provide an opportunity to discuss changes and planned developments for improvement. The report from the interim inspection is considered by the Accreditation Committee, which will decide whether accreditation should continue or whether further actions should be required.

Fourth, BAC carries out supplementary inspections and spot check inspections as described above.

Conclusion: Fully compliant.

[ESG 2.8 SYSTEM-WIDE ANALYSES](#)

<p>STANDARD</p> <p>Quality assurance agencies should produce from time to time summary reports describing and analysing the general findings of their reviews, evaluations, assessments, etc.</p> <p>GUIDELINES</p> <p>All external quality assurance agencies collect a wealth of information about individual programmes and/or institutions and this provides material for structured analyses across whole higher education systems. Such analyses can provide very useful information about developments, trends, emerging good practice and areas of persistent difficulty or weakness and can become useful tools for policy development and quality enhancement. Agencies should consider including a research and development function within their activities, to help them extract maximum benefit from their work.</p>

Evidence and analysis

BAC gathers rich data from its inspection reports, annual reporting, and evaluation of inspection procedures and produces an annual report with quantitative data. Furthermore, the Chief Inspector is expected to report to BAC council and committees. However, these reports are serving general needs of BAC in the sense of following its work and are not utilised for the purposes of meta-system analysis.

BAC reported that more informally, scoping and summary of general developments in the sector is communicated through the Chief Executive's Blog. It was said that this is published at regular intervals, is sent to all accredited institutions and appears on the BAC website. It is aimed to provide a brief overview of recent relevant developments in UK higher education, and more specifically of BAC's current activities.

Nevertheless BAC is interested in monitoring the system and its sector and wishes to be a visible organisation. Thus it has published a history of its work, which contains an overview of the development of its quality assurance activities and the general growth in independent sector higher education. It has worked on national research project related to its sector with the Government drawing on data gathered by BAC. It was contracted by the Government's Department for Business Innovation and Skills, along with a research company (CFE) to research and publish data on independent providers of higher education in the UK; and again on behalf of the independent sector BAC has submitted reports on overseas students to the UK Government's Home Office.

Conclusion: Partially compliant.

Recommendation: The panel suggest that BAC considers how it can contribute to the knowledge base about the independent FE and HE sector in the UK drawing on its rich data and information.

[ENQA CRITERION 1 / ESG 3.1, 3.3: ACTIVITIES](#)

STANDARD 3.1

The external quality assurance agencies should take into account the presence and effectiveness of the external quality assurance procedures described in Part 2 of the European Standard and Guidelines.

GUIDELINES 3.1

The standards for external quality assurance contained in Part 2 provide a valuable basis for the external quality assessment process. The standards reflect best practices and experiences gained through the development of external quality assurance in Europe since the early 1990s. It is therefore important that these standards are integrated into the processes applied by external quality assurance agencies towards the higher education institutions. The standards for external quality assurance should together with the standards for external quality assurance agencies constitute the basis for professional and credible external quality assurance of higher education institutions.

STANDARD 3.3

Agencies should undertake external quality assurance activities (at institutional or programme level) on a regular basis.

GUIDELINES 3.3

These may involve evaluation, review, audit, assessment, accreditation or other similar activities and should be part of the core functions of the agency.

Evidence and analysis

BAC's compliance with ESG Part 2 has been addressed in the text above (ESG 2.1 – 2.8).

Conclusion: Fully compliant.

[4.2 ENQA CRITERION 2 / ESG 3.2: OFFICIAL STATUS](#)

STANDARD

Agencies should be formally recognised by competent public authorities in the European Higher Education Area as agencies with responsibilities for external quality assurance and should have an established legal basis. They should comply with any requirements of the legislative jurisdictions within which they operate.

Evidence and analysis

As described in the introduction to this report BAC was never officially the national authority for accreditation or evaluation of independent FE and HE institutions as is the case in many other European countries when agencies are established by law. However, BAC is a recognised QA body within the British context. In addition, between 2007 and 2011 it had competence to accredit FE and HE providers in their 'Tier 4' visa regulation. Today BAC is recognised as one of the accreditation bodies for Student Visitor Visa purposes for short term courses. In addition representatives of the government as well as UK NARIC are part of BAC Council among other stakeholders. This is additional proof of BAC's recognition by relevant public authorities.

Since its creation in 1984 BAC has attempted to serve as a sort of quality seal meaning that its accreditation is a guarantee of quality for FE and HE independent institutions. The students and institutional representatives met by the panel all stated that they did indeed see the BAC accreditation as a proxy for acceptable standards.

Conclusion: Fully compliant.

[4.3 ENQA CRITERION 3 / ESG 3.4: RESOURCES](#)

STANDARD

Agencies should have adequate and proportional resources, both human and financial, to enable them to organise and run their external quality assurance process(es) in an effective and efficient manner, with appropriate provision for the development of their processes and procedures.

Evidence and analysis

BAC dealt with a situation in which it grew fast for a short period of time and then contracted sharply between 2007 and 2011 as a consequence of legislative changes regarding visa regulation. This growth and contraction resulted in a sharp decline in the numbers of BAC accredited institutions,

number of inspection, number of inspectors, and number of staff. BAC employed staff reduced to five full time employees (including Chief Executive, and inspectors' manager), two part time employees and the self-employed Chief Inspector. This consolidated staff structure was shaken in the past year. Less than a year ago the Chief Executive resigned. BAC employed a new chief executive but the post again became vacant after a short period. Thus at the time of the visit BAC was in search for its Chief Executive. In addition, inspections manager resigned as well and BAC is planning to find a person for this job immediately after the Chief Executive is employed. The situation at the time of the site visit was thus the following: BAC currently employs three full time staff and two staff on permanent part time contracts. The Chief Inspector is self-employed and works for BAC on a contractual basis and is now acting as Interim Chief Inspector until a new CEO has been recruited. BAC evaluates that the team of core staff is generally sufficient to meet the requirements of the central functions of the organisation (including the posts of Chief Executive and inspectors manager). It does feel the need to employ a full-time general administrator to replace the part-time one now in post and it is planning to do so. Inspectors are not employees of BAC and are engaged for each inspection under an annually renewed contract.

BAC's headquarter is in serviced offices in central London, taking part of one floor of a conveniently located office building. The offices provide open plan space for up to eight members of staff, and a small separate office for the Chief Executive. For meetings of its committees, and for conference and training purposes, BAC rents meeting rooms in the same building, and large conference rooms in an adjacent facility. In this way the accommodation needs of the organisation are met in a flexible and efficient manner.

BAC contracts an external company, the Oxford Knowledge Company (OKC), to provide all necessary IT support and service. OKC maintains BAC's IT infrastructure, including networked PCs, onsite and offsite servers and an online database. During 2013/14 BAC has spent over £30,000 upgrading its IT infrastructure including updating hardware and software.

BAC has a central data management system and wireless enabled network which supports the record keeping and management functions. The vast majority of documentation is now held electronically and is rapidly accessible. The BAC website has secure sections, which give access to all documentation required by inspectors and accredited institutions.

Financially BAC is well resourced. Currently it has reserves of around £810,000 and is financially secure. It receives no public funding from the UK Government and its financial resources depend wholly upon income derived from the fees paid by institutions and from consultancy contracts.

As a UK charity, BAC is required to give an annual report and statement of accounts to the Charity Commission. These reports are available through the Charity Commission and BAC website.

The panel finds that BAC as an organisation is financially stable and it has adequate tangible resources (like office and other infrastructure). Most of its functioning relies on individuals that work as trustees of the charity and for no financial remuneration, and on inspectors that are sub-

contracted. Both of these groups of individual are at the core of BAC work, are highly competent and work on BAC's behalf to achieve its objectives. However, the central administration does appear to be in need of additional appropriately qualified professional staff as the current workload of the staff appears to be very high.

Conclusion: Substantially compliant.

Recommendation: The panel recommends BAC to strategically consider the sustainability of its small central administration and the appropriate blend of expertise required to meet its objectives.

4.4 ENQA CRITERION 4 / ESG 3.5: MISSION STATEMENT

STANDARD

Agencies should have clear and explicit goals and objectives for their work, contained in a publicly available statement.

GUIDELINES

These statements should describe the goals and objectives of agencies' quality assurance processes, the division of labour with relevant stakeholders in higher education, especially the higher education institutions, and the cultural and historical context of their work. The statements should make clear that the external quality assurance process is a major activity of the agency and that there exists a systematic approach to achieving its goals and objectives. There should also be documentation to demonstrate how the statements are translated into a clear policy and management plan.

Evidence and analysis

BAC's vision is as follows:

"BAC aims to be an established, diverse and leading education charity for the independent further and higher education sector. It is focused on expanding its accreditation and consultancy activities within UK and international markets. Linked to this, BAC aims to be recognised by UK and overseas governments as an influential voice on standards and quality for the independent education sector."

BAC's mission is as follows:

"BAC's aim is to provide respected and rigorous inspection-based accreditation, alongside a bespoke consultancy service, to enhance the standards and quality of independent FE and HE providers."

On its web page BAC also states the following under its mission:

"There are now hundreds of BAC-accredited colleges in the UK, providing a wealth of academic programmes, including vocational and professional qualifications, foundation courses for university entry, and externally validated degree courses.

As well as providing clear guidance to prospective students, we want to encourage continuing improvement in the general standard and quality of independent education in the UK.

While the BAC is not a membership organisation, and indeed must maintain an objective distance from institutions to preserve the value of our accreditation, we are nevertheless dedicated to helping colleges in their efforts for continual improvement.”

BAC's goals and objectives

BAC has created its values, behaviour and objectives. The overall purpose of BAC's work is clearly stated on its website as covering two-fold aims:

- to establish a system of accreditation in the private sector, to be used as an indicator of quality
- to improve the standards of independent further and higher educational institutions through this accreditation process.

As a result of this commitment to accreditation, BAC's accreditation handbook gives further detail regarding the purposes of the accreditation awarding procedure:

- TO SUPPORT AND ADVISE independent institutions of further or higher education in the maintenance and enhancement of the quality of their provision
- TO PROVIDE INDEPENDENT GUIDANCE to students seeking to undertake further or higher education in an institution outside the state sector
- TO PROVIDE ASSURANCE of the good standing of an institution to government departments and other interested bodies
- TO ENABLE AN INSTITUTION to state publicly that it has voluntarily accepted independent inspection and has satisfied BAC that all relevant aspects of its operation are maintained.

The panel believes BAC's mission, vision and goals are practiced in BAC's work and its documents and plans. What is missing is a strategic long term plan. When the new Chief Executive is appointed this will be one of the first tasks to be addressed. There was a clear understanding of this deficit on the part of the Chair and Interim Chief Executive. Their considerable expertise and experience was instrumental in ensuring that the organisation could manage in the interim.

Conclusion: Fully compliant.

4.5 ENQA CRITERION 5 / ESG 3.6: INDEPENDENCE

STANDARD

Agencies should be independent to the extent both that they have autonomous responsibility for their operations, and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders.

GUIDELINES

An agency will need to demonstrate its independence through measures, such as:

- its operational independence from higher education institutions and governments
- is guaranteed in official documentation (e.g. instruments of governance or legislative acts);
- the definition and operation of its procedures and methods, the nomination and appointment of external experts and the determination of the outcomes of its quality assurance processes are undertaken autonomously and independently from governments, higher education institutions, and organs of political influence;
- while relevant stakeholders in higher education, particularly students/learners, are consulted in the course of quality assurance processes, the final outcomes of the quality assurance processes remain the responsibility of the agency.

Evidence and analysis

BAC's legal and general status ensure it to be fully independent and autonomously responsible for its operations and accreditation decisions including conclusions and recommendations. They are not influenced by authorities, FE and HE institutions, students or other stakeholders. It also emphasises autonomy and professionalism in its documentation and internal rules. Furthermore, Article 7(1) of Association Articles stipulates that Members of Council shall have "no direct involvement or financial interest in any individual independent further and higher educational institution which might give rise to a conflict of interest". Committees' Terms of Reference also include specific procedures to be followed in the event of any conflict of interest. No representatives of accredited institutions can be members of the Council or of BAC's committees.

Conclusion: Fully compliant.

4.6 ENQA CRITERION 6 / ESG 3.7: EXTERNAL QUALITY ASSURANCE CRITERIA AND PROCESSES USED BY THE MEMBERS

STANDARD

The processes, criteria and procedures used by agencies should be pre-defined and publicly available. These processes will normally be expected to include:

- a self-assessment or equivalent procedure by the subject of the quality assurance process;
- an external assessment by a group of experts, including, as appropriate, (a) student member(s), and site visits as decided by the agency;
- publication of a report, including any decisions, recommendations or other formal outcomes;
- a follow-up procedure to review actions taken by the subject of the quality assurance process in the light of any recommendations contained in the report.

GUIDELINES

Agencies may develop and use other processes and procedures for particular purposes. Agencies should pay careful attention to their declared principles at all times, and ensure both that their requirements and processes are managed professionally and that their conclusions and decisions are reached in a consistent manner, even though the decisions are formed by groups of different people. Agencies that make formal quality assurance decisions or conclusions that have formal consequences should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.

Evidence and analysis

A large part of procedures is already explained above (in particular under the ESG 2.4). To sum up, BAC follows the model institutional self-evaluation – external review – report – accreditation decision – publishing inspection report. BAC performs its inspection and accreditation procedures based on FE or HE institutions' documentation including internal QA procedures and self-evaluation and site visit. The downside of BAC's inspection is the approach to use only one or two inspectors and limited inclusion of other experts including international experts, students or other stakeholders or representatives. BAC publishes final reports that resulted in positive decisions. Follow up procedures are well in place.

BAC has in place an appeals procedure, which is set out in detail in the Accreditation Handbook. Appeals are heard by an independent appeal panel not associated with the original report or decisions made on it. It consists of one independent chair, one layperson and one member of the BAC council who did not vote in the original decision of the Accreditation Committee. A FE or HE institution has the right to request that the hearing to be held in public.

If an institution wishes to appeal a decision, it must send to BAC written notice of intent (by letter, by scanned letter via email or by fax). This written notice must be received by BAC within five working days of the date of the letter or email which confirms the refusal or withdrawal of accreditation. Any letter confirming the refusal or withdrawal of accreditation will be delivered to the institution’s designated primary contact both by email and by recorded post. The institution must ensure that any correspondence addressed to its primary contact is opened and dealt with in their absence. The notice of appeal must be accompanied by full payment of the appeal fee. This fee will be refunded if the appeal committee overturns the decision of the Accreditation Committee.

There are two possible grounds for appeal: ‘that the Accreditation Committee did not have all the relevant information available to it’; and ‘that the decision was not made in accordance with the procedures or criteria set out in the Accreditation Handbook’. Within ten working days of its notice of appeal, the institution must submit a statement setting out the grounds for the appeal, selecting one of the two arguments, together with any relevant supporting documentation. Inspectors may be called on to provide evidence that procedures were carried out in the proper manner and to comment on the institution’s stated grounds for lodging an appeal.

No appeals have been made in the past two years.

BAC also has a formal procedure which is aimed at dealing with complaints against accredited institutions. This is again set out in the Accreditation Handbook. It particularly concerns complaints made by students or their parents, but will also cover complaints made by institutional staff or the general public regarding accredited institutions. Where substantiated by evidence, complaints are considered by the Accreditation Committee, which may then require that any shortcomings are remedied, or require an immediate spot-check or supplementary inspection, or in the most serious cases suspension or withdrawal of accreditation.

Conclusion: Substantially compliant.

Recommendation: The panel recommends that BAC consider how to include students and international experts in a meaningful and impactful way to provide benefit for its strategy, procedures, and standards with particular reference to the HE component of its work.

[4.7 ENQA CRITERION 7 / ESG 3.8: ACCOUNTABILITY PROCEDURES](#)

STANDARD
Agencies should have in place procedures for their own accountability.
GUIDELINES

These procedures are expected to include the following:

1. A published policy for the assurance of the quality of the agency itself, made available on its website;
2. Documentation that demonstrates that:
 - the agency's processes and results reflect its mission and goals of quality assurance;
 - the agency has in place, and enforces, a no-conflict-of-interest mechanism in the work of its external experts;
 - the agency has reliable mechanisms that ensure the quality of any activities and material produced by subcontractors, if some or all of the elements in its quality assurance procedure are subcontracted to other parties;
 - the agency has in place internal quality assurance procedures which include an internal feedback mechanism (i.e. means to collect feedback from its own staff and council/board); an internal reflection mechanism (i.e. means to react to internal and external recommendations for improvement); and an external feedback mechanism (i.e. means to collect feedback from experts and reviewed institutions for future development) in order to inform and underpin its own development and improvement.
3. A mandatory cyclical external review of the agency's activities at least once every five years.

Evidence and analysis

As described above BAC's vision and mission result in its documents, procedures, standards, and criteria. It has a strict no-conflict-of interest procedures in place. It takes special care that any individuals that work as consultants for BAC or in individual capacity and then for BAC in accreditation procedures have no conflict of interest. The panel verified that at the site visit based on substantial evidence coming from interviews and review of BAC communication with institutions, inspectors or other individuals. It also monitors its procedures and has constant evaluation mechanisms of inspection procedures in place, however, this mechanism is limited in scope.

BAC states that the most significant aspect of BAC's internal quality assurance is to ensure the fitness for purpose and effectiveness of its inspection and reporting procedures, together with the decision making for accreditation which these will inform. These processes are subject to regular review and development. As already indicated above, the Accreditation Committee reviews criteria, procedures for inspecting and reporting on a regular basis. The Chief Inspector has a role in quality control and assurance of the inspection process, through monitoring inspections, making spot-checks, evaluating feedback, briefing inspectors and reporting to the Accreditation Committee.

BAC cares for induction of new staff and monitors performance of its staff. Employees can also undertake training and employee handbook specifies all relevant staff procedures. The panel, however, found that sometimes the introduction of new staff is over reliant on shadowing of senior staff or inspectors for too short a period of time.

BAC inspectors are systematically trained. They are briefed in an annual meeting. In addition, the one-day training of lead inspectors includes working with case studies. Inspectors are also monitored in their work by the Chief Inspector. This is done through feedback from institutions and from direct observation in monitoring visits that the Chief Inspector performs.

BAC has elements of internal QA procedures that include internal feedback for each inspection (institutions evaluate inspectors as well as they evaluate each other). Informal evaluative discussions take place on a regular basis between the Chief Executive, permanent BAC office staff, and the Chief

Inspector. Internal reporting and feedback is in place through regular reports of the Chief Executive to each meeting of the Executive Committee, and through discussions within that committee. However, BAC does not have a published comprehensive policy on assurance of quality for itself and does not perform systematic periodic self-evaluation. The Self-evaluation report states that the Council periodically carries out a Committee effectiveness self-review in which it considers its own meetings and their effectiveness in the strategic management of BAC as an organisation. However, during the panel site visit the members of the Council could not recall any such review of their activities during the last several years. The Trustees' report from 31st April 2014 also notes that the review that was scheduled at the beginning of 2014 did not take place.

External evaluation is done by institutional evaluation of inspections as described above. BAC takes special care for quality work of its sub-contractors.

BAC is audited by external auditors annually, which involves a review of its systems and financial practice.

Conclusion: Partially compliant.

Recommendation: The panel suggest that BAC develops a coherent policy on its own quality assurance and applies it systematically.

4.8 ENQA CRITERION 8: CONSISTENCY OF JUDGEMENTS, APPEALS SYSTEM AND CONTRIBUTIONS TO AIMS OF ENQA

- I. The agency pays careful attention to its declared principles at all times, and ensures both that its requirements and processes are managed professionally and that its judgements and decisions are reached in consistent manner, even if the judgements are formed by different groups;
- II. If the agency makes formal quality assurance decisions, or conclusions that have formal consequences, it should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.
- III. The agency is willing to contribute actively to the aims of ENQA.

Evidence and analysis

BAC's professional approach, its dedication to declared principles, consistency of its judgements, and appeals procedures have been presented above.

BAC has been an affiliate of ENQA since 2009. BAC declared that its increasing involvement in international accreditation further strengthens its commitment to ENQA's aims, principles and values and the regard in which these are held. Furthermore it states that full membership of ENQA will provide particularly valuable support for the international aspect of BAC's work. BAC states that it looks forward to contributing to the ENQA network, in particular with regard to international

accreditation, to the growing importance within Europe of independent and private higher education, and to the quality assurance of online learning.

Conclusion: Fully compliant.

6. Conclusions and recommendations

The British private FE and HE sector is truly volatile and sudden political decisions in past years are causing turmoil in the sector. The panel recognises that BAC has an important function in the unregulated FE and HE independent and private sector in the UK and considerable impact among different stakeholders. Its rigorous approach is well appreciated and BAC enjoys a high reputation. This is important as private institutions voluntarily chose if they wish to be subject to quality reviews. Much is at stake for students and the general public in such an unregulated environment and BAC is aware that its role is serving wider societal needs. Its charitable and non-profit status provides a sound basis of its mission in the public interest. The panel also witnessed impressive competence, professionalism, and dedication among members of BAC's structures, inspectorate and the Chief Inspector. BAC decisively started its restructuring a couple of years ago as a response to changed external and internal environments. It resulted in renewed rules (nominations and mandates of Executive Committee), renewed standards and criteria, new template reports, publishing of reports, student inclusion and similar dynamic. Panel recognises that organisations cannot change overnight, and witnessed BAC's determination to modernise. BAC indeed has accomplished a lot. Having stated that, the panel witnessed challenges and wishes to express the following recommendations.

The panel has very deep concerns regarding how students and international expertise are understood and treated within BAC. As already mentioned, BAC has taken the first steps and its members recognise that BAC benefits from them. However, BAC could do more. The panel recommends that BAC considers what would be appropriate ways to meaningfully include students, international experts and stakeholders in its procedures. The argument of using professional inspectors for inspections does not mean that BAC cannot think of alternative ways how in particular students could make more impact. This is especially so for the work BAC does in HE. Notwithstanding the use of inspectorial model (the appropriateness of which we recognise for some activities such as for short course providers), in HE inspections student representative could be included in some way and no fewer than at least two inspectors for first accreditation and re-accreditations should be a rule. Furthermore, BAC could also show more openness in relation to the external environment when updating its procedures and standards so that it better includes a wider variety of key stakeholders, including employers. Some sort of systematic consultation would provide new views that BAC could build on.

The panel recommends BAC to consider how the structure, style, and content of inspection reports could be made more useful for potential students, their parents and the general public. In addition, the panel recommends that BAC considers how it could inform the public about its negative decisions in case BAC finds it inappropriate to publish reports that resulted in negative decisions. The panel understands that the commercial interest and high reputational risk of accredited institutions (or

non-accredited) is at stake and that the nature of voluntary decisions by institutions is fragile. But BAC's work in the public interest is of particular relevance, especially in the British context. The panel believes this is a particular strength of BAC that it should be nourished in future.

The panel found that BAC is working towards consistency in judgements by its inspectors and the Accreditation Committee and wishes to encourage such efforts. Furthermore, the panel would like to suggest BAC to consider how it could improve qualitative evaluation of internal QA systems of institutions and how it could provide improved judgement about effectiveness and appropriateness of institutions' QA procedures.

The panel recommends BAC to strategically consider the sustainability of its small central administration. BAC is reliant on the expertise of members of its council and committees and inspectors that are sub-contracted. In order for BAC to be strong and sustainable in future any risks of discontinuity due to staff change should be put to minimum. This is especially so in case of small numbers of core staff. Such a fragile situation was actually seen at the time of the visit.

The panel recommends that BAC develops a coherent policy on its own quality assurance and applies it systematically. There are indeed many elements of quality checks within BAC, but coherent periodic analysis including external evaluation would provide a consistent mirror to improve its own work. There is also a need for some benchmarking of its performance against comparable organisations. In addition, BAC would benefit if it included a wider range of stakeholders in its own self evaluation and in SER preparation.

Last but not least, the panel recommends BAC to make long term strategic plan which is much needed in the volatile environment in which it operates. In doing so, it should consult widely and should also ensure that its accredited institutions understand that BAC is not a membership organisation. In addition, the panel suggests BAC review its mission statement in accordance with the latest changes in the sector (including political and regulatory changes).

7. Annexes

7.1 PROGRAM OF THE ENQA VISITATION TO THE BRITISH ACCREDITATION COUNCIL FOR INDEPENDENT FURTHER AND HIGHER EDUCATION

TUESDAY 9 DECEMBER

Time	Event	Attendees
09.00 - 09.15	Welcome and settling in	
09.15 –10.00	Interim Chief Executive Officer	Ms Sheila Needham
10.15 – 10.45	BAC management	Ms Sheila Needham - Chief Inspector Mr Gary Lee – Operations Manager Mrs Yetty Ejere – Finance Manager
11.00 – 11.45	Head Office staff	Mr Gary Lee Mrs Yetty Ejere Ms Julia Kuznecow – Accreditation Officer Ms Clare Baker – Inspections Assistant Ms Jessica Gunning – General Administrator
11.45 – 12.05	COFFEE BREAK	
12.05 – 13.05	Chair of Council and Trustees	Mr Peter Williams CBE
13.05 – 14.00	LUNCH	
14.00 – 14.45	Members of Executive Committee	Mr Dominic Scott OBE – Deputy chair Mr Eric Glover – Honorary Treasurer Mr Richard Lewis – Chair of AC Dr David Bland OBE Dr Kate Clarke Dr Robin Middlehurst
15.00 – 15.45	Representatives of accredited institutions	Mr Nawtej Dosanjh – Hult International Business School Mr Piers Curran - Amplify Trading Mr Ali Naqvi – Institute of Islamic Banking and Insurance Dr Nick Kyritsis – representing AUCE Mr Edward Johnson - GIA
16.00 – 16.45	Members of Accreditation Committee	Mr Richard Lewis - Chair Dr David Bland OBE - Deputy chair Mr Eric Glover Dr Kenneth Wilson Mr Robin Laidlaw Dr Ann Read Ms MARRISA JOSEPH - Student Representative
17.00 – 17.30	End of day review with Interim CEO	Ms Sheila Needham
17.30	Close	

WEDNESDAY 10 DECEMBER

Time	Event	Attendees
09.00 – 10.00	Document review	
10.00 – 10.45	Representatives of the sector	Mr Alex Proudfoot – Study UK Mr Paul Kirkham – Study UK Mr Dominic Scott OBE- UKCISA
11.00 – 11.45	Consultancy and international work	Dr Steve Bristow Mr Jeff Butel
11.45 – 12.05	COFFEE BREAK	
12.05 – 12.50	Members of Council	Dr Steve Bristow Dr Cloud Bai-Yun Mr Phil Vine Dr Aulay Mackenzie
13.05 – 13.50	Senior inspectors and inspectors	Mr Martin Roundell-Greene (SI) Mr Paul Bradbury (SI) Mr Ian Fleming Mr Jeff Butel Dr Peter Findlay
13.50 – 14.45	LUNCH	
14.45 – 15.30	Students of accredited institutions	Ms Samya Waked – Covent Garden Academy of Flowers Ms Rowan Lewis - Covent Garden Academy of Flowers Mr Daniel Amendola - Hult International Business School Ms Michele Bianchi - Hult International Business School
15.30 – 15.45	COFFEE BREAK – Panel meeting	
15.45 – 16.15	Debriefing meeting with Interim CEO	Ms Sheila Needham
16.15	Panel meeting	

[7.2 TERMS AND REFERENCES OF THE REVIEW](#)

External review of the British Accreditation Council (BAC) by the European Association for Quality Assurance in Higher Education (ENQA)

Annex I: TERMS OF REFERENCE

November 2013

1. Background and Context

The British Accreditation Council (BAC) was formally established on 29 June 1984 and has been working in the private sector, setting standards, helping institutions to develop and providing a public assurance of quality.

BAC's aims to establish a system of accreditation in the private sector, to be used as an indicator of quality and to improve the standards of independent further and higher educational institutions through this accreditation process.

There are now hundreds of BAC-accredited colleges in the UK, providing academic programmes, including vocational and professional qualifications, foundation courses for university entry, and externally validated degree courses.

BAC provides guidance to prospective students, and encourages continuing improvement in the general standard and quality of independent education in the UK.

BAC has been an affiliate of ENQA since September 2009 and is applying for ENQA full membership for the first time.

2. Purpose and Scope of the Evaluation

This is a type A review, as defined in the *Guidelines for external reviews of quality assurance agencies in the European Higher Education Area*. It will evaluate the way in which and to what extent BAC fulfils the criteria for the ENQA membership and thus the *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)*. Consequently, the review will also provide information to the ENQA Board to aid its consideration of whether BAC should be accepted as a Full Member of ENQA.

The review panel is not expected, however, to make any judgements as regards granting Full Membership.

3. The Review Process

The process is designed in the light of the *Guidelines for external reviews of quality assurance agencies in the European Higher Education Area*.

The evaluation procedure consists of the following steps:

- Formulation of the Terms of Reference and protocol for the review;

- Nomination and appointment of the review panel;
- Self-evaluation by BAC including the preparation of a self-evaluation report;
- A site visit by the review panel to BAC;
- Preparation and completion of the final evaluation report by the review panel;
- Scrutiny of the final evaluation report by the ENQA Stakeholder Review Committee;
- Analysis of the scrutiny by the ENQA Board and their decision regarding ENQA membership;
- Follow-up of the panel's and/or ENQA Board's recommendations by the agency.

3.1 Nomination and appointment of the review team members

The review panel consists of five members: four external reviewers (one or two quality assurance experts, representative(s) of higher education institutions, student member) and a review secretary. Three of the reviewers (including the review secretary) are nominated by the ENQA Board on the basis of proposals submitted to ENQA by the national agencies, and are drawn from senior serving members of Board/Council or staff of ENQA member agencies. The fourth external reviewer is drawn from a nomination provided by the European University Association (EUA). The nomination of the student member is asked from the European Students' Union (ESU). One of the panel members serves as the chair of the review.

Current members of the ENQA Board are not eligible to serve as reviewers.

ENQA will provide BAC with the list of suggested experts with their respective curriculum vitae to establish that there are no known conflicts of interest. The experts will have to sign a non-conflict of interest statement as regards the BAC review.

3.2 Self-evaluation by BAC, including the preparation of a self-evaluation report

BAC is responsible for the execution and organisation of its own self-evaluation process and shall take into account the following guidance:

- Self-evaluation is organised as a project with a clearly defined schedule and includes all relevant internal and external stakeholders;
- The self-evaluation report is broken down by the topics of the evaluation and is expected to contain, among others: a background description of the current situation of the Agency; an analysis and appraisal of the current situation; proposals for improvement and measures already planned; a SWOT analysis;
- The report is well-structured, concise and comprehensively prepared. It clearly demonstrates the extent to which BAC fulfils its tasks of external quality assurance and meets the criteria for the ENQA membership and thus the ESG. The report is submitted to the review panel a minimum of eight weeks prior to the site visit.

3.3 A Site Visit by the Review Panel

BAC will draw up a draft proposal of the schedule for the site visit to be submitted to the review panel at least three months before the planned dates of the visit. The schedule includes an indicative timetable of the meetings and other exercises to be undertaken by the review panel during the site

visit, the duration of which is 2 days. The approved schedule shall be given to BAC at least one month before the site visit, in order to properly organise the requested interviews.

The review panel will be assisted by BAC in arriving in London, UK.

The site visit will close with an oral presentation and discussion of the major issues of the evaluation between the review panel and BAC.

3.4 Preparation and completion of the final evaluation report

On the basis of the review panel's findings, the review secretary will draft the report in consultation with the review panel. The report will take into account the purpose and scope of the evaluation as defined under article 2. It will also provide a clear rationale for its findings with regards to each ENQA membership criteria. A draft will be submitted for comment to BAC within two months of the site visit for comment on factual accuracy. If BAC chooses to provide a statement in reference to the draft report it will be submitted to the chair of the review panel within two weeks after the receipt of the draft report. Thereafter the review panel will take into account the statement by BAC, finalise the document and submit it to BAC and ENQA.

The report is to be finalised within three months of the site visit and will not exceed 40 pages in length.

4. Follow-up Process and Publication of the Report

BAC will consider the expert panel's report and will published it on its website. The report will also be published on the ENQA website, regardless of the review outcome and decision by the ENQA Board. BAC commits to preparing a follow-up plan in which it addresses the recommendations of the review panel and to submitting, if requested, a progress report to the ENQA Board within two years of the decision by the ENQA Board.

5. Use of the report

ENQA shall retain ownership of the report. The intellectual property of all works created by the expert panel in connection with the review contract, including specifically any written reports, shall be vested in ENQA.

The review report is to be used by the Board of ENQA for the purpose of reaching a conclusion on whether BAC has met the membership criteria/ESG.

The review report is to be considered as property of ENQA only after being approved by the ENQA Board. Once submitted to BAC and ENQA and until the decision by the Board is made, the report may not be used or relied upon by BAC, the panel and any third party and may not be disclosed without the prior written consent of ENQA. BAC may use the report at its discretion only after the Board decision has been made.

Should the review report be used for applying to the European Quality Assurance Register for Higher Education (EQAR), the Chair of the panel shall remain available to respond to questions of

clarification or further information from the EQAR Register Committee provided that the ENQA Secretariat is copied in all such requests.

6. Budget

BAC shall pay the following review related fees:

Fee of the Chair	4,750 EUR
Fee of the Secretary	4,750 EUR
Fee of the 3 other panel members	8,250 EUR (2,750 EUR each)
Administrative overhead for ENQA Secretariat	5,000 EUR
Experts Training fund	1,250 EUR
Travel and subsistence expenses (approximate)	6,000 EUR

This gives a total indicative cost of 30,000.00 EUR for a review team of 5 members. In the case that the allowance for travel and subsistence expenses is exceeded, BAC will cover any additional costs after the completion of the review. However, the ENQA Secretariat will endeavour to keep the travel and subsistence expenses in the limits of the planned budget, and will refund the difference to BAC if the travel and subsistence expenses go under budget.

In the event of a second site visit required by the Board and aiming at completing the assessment of compliance, and should the agency accept a second visit, an additional fee of 500 EUR per expert, as well as travel and subsistence costs are recoverable from the agency.

7. Indicative Schedule of the Review

Agreement on terms of reference and protocol for review	November 2013
Appointment of review panel members	January 2014
Self-evaluation completed	April 2014
Preparation of site visit schedule and indicative timetable	April-June 2014
Briefing of review panel members	September 2014
Review panel site visit	December 2014
Draft of evaluation report to BAC	January 2015
Statement of BAC to review panel if necessary	January 2015
Submission of final report to ENQA	End Jan/Beg Feb 2015
Consideration of the report by ENQA and response of BAC	February 2015
Publication of report	End Feb / Beg March 2015