

**STRICTLY CONFIDENTIAL**

**Advisory Committee On Degree Awarding Powers**

**BPP College of Professional Studies:  
Application For Taught Degree-Awarding Powers**

**Institutional Assessors' *Final Report***

**June 2007**

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## INTRODUCTION

- 1 The origins of this report lie in the Committee's decision, at its meeting of 1 December 2004, to permit an application for taught degree-awarding powers from the then BPP Law School to proceed to scrutiny, and the Agency's consequential appointment of a team of institutional assessors to review the application.
- 2 The scrutiny commenced on 6 April 2005. By the end of the year, however, the assessors had reached the view that so numerous and extensive were the changes taking place that it would be impossible to report helpfully to the Committee by the scheduled date of July 2006. Not least among these changes was the transformation of the BPP Law School into BPP Professional Education Limited, a private company and wholly owned subsidiary within the BPP Holdings plc group, a change entailing, *inter alia*, significant changes to the functions and membership of the Board of Directors. In addition, the institution had introduced a Business School; it was developing new campuses in Manchester and Leeds; it was significantly modifying its committee structure (which now centred on an Academic Council and Board of Directors as the focus of management and resource-related decisions, with increased operational delegation); and it had introduced a new staff training and development policy.
- 3 The assessors' view, which reflected not at all upon the quality of provision, was communicated to senior BPP staff, and both sides agreed that, subject to the Committee's agreement, the scrutiny should be suspended. At its meeting in February 2006, and again in September 2006, ACDAP endorsed this view, determining that the scrutiny should be reactivated in autumn 2006 with an interim report (Annex 1), and a final report submitted in mid-2007. This document constitutes that report.
- 4 By the time of reactivation, in October 2006 (Phase 2), the institution had again changed its name and constitution, and was now BPP College of Professional Studies Ltd (the College). Changes to the composition and coordination of the scrutiny team were also made: Professor Curry was replaced by Professor Dugdale; Miss Edwards (now Mrs Silver), formerly a team member, was appointed legal consultant to the team; and an experienced audit secretary, Miss Hooper, was appointed to support the assessors. From the QAA end, responsibility for coordinating the scrutiny passed from Professor Colley to Professor Harris.
- 5 The two sets of changes meant that it was necessary to commence Phase 2 scrutiny virtually *ab initio*. Accordingly the assessors held a further nine meetings with governors, staff and students of the College in London in addition to the eight which had taken place in Phase 1; they visited the Manchester and Leeds campuses and held meetings with staff and students of both; and they undertook a further 11 observations of meetings to add to the 16 which had taken place in Phase 1. Whilst no meetings took place in the Waterloo campus, the assessors visited the premises and noted the high quality of physical provision and learning support available there.

## CRITERIA FOR THE AWARD OF TAUGHT DEGREE–AWARDING POWERS

### A Governance and Academic Management

- 6 In preparation for Phase 2 of the scrutiny, the College outlined the many changes it had effected to its constitution, governance, management and

operations in a helpful *Update on developments within BPP College since the submission of the application for degree awarding powers* (the *Update*). This document, including as it does appendices reproducing the *General Academic Regulations* (the *Regulations*) the terms of reference of all senior committees and boards, the draft Academic Plan and the Memorandum of Understanding between BPP Holdings plc and the College, proved a valuable aid to the assessors' understanding of the College's current governance and academic management arrangements.

- 7 One significant change in governance which has taken place since the end of Phase 1 of the scrutiny is that the College, whilst remaining a wholly owned subsidiary of BPP Holdings plc, has secured increased financial and strategic independence, with financial responsibility for its affairs resting with its own Board of Directors. Following careful scrutiny of the current Memoranda of Association and Agreement and the Articles of Association (approved at a shareholders' meeting in January 2007), the assessors formed the view that the safeguards now in place to protect the College's relative independence are sound under any reasonably anticipated circumstances. In particular the formal agreement between the bodies gives the College authority to determine its own academic, financial and developmental strategies.
- 8 Naturally the legal basis of, and procedures for, the governance of private sector organisations differ strikingly from those applying in the public sector. The assessors engaged in an interesting and helpful debate with senior members of the College on this point, in order to assure themselves that the key ends of public sector governance are met, albeit by different means. The College followed up this debate by submitting a written statement as follows:

The division of powers between the Academic Council and the Board of Directors reflects the diarchic structure characteristic of the pre-1992 universities. Powers in academic matters are assigned to the (Academic) Council in the way that they are to senates in many pre-1992 universities. Powers in respect of finance, staffing and the general management of affairs of the institution belong to the BPP College Board of Directors as they do to the University Council in pre-1992 universities. In other words, neither body has full powers in the way that in all post-1992 universities is assigned to the Board of Governors.
- 9 Whilst the assessors may question whether this is a wholly accurate portrayal of the relations between councils and senates at all pre-1992 universities, they do accept both that it correctly explicates the current relationship between College Board and Academic Council, and that this relationship has been meticulously negotiated. It is inevitably the case that BPP Holdings plc is in a position to modify or dispense with this relationship;<sup>1</sup> nonetheless, in that such a power is intrinsic to any application involving, directly or indirectly, a public limited company, the assessors assume that such a consideration lies outside their remit. In this context, therefore, they confirm that in all reasonably foreseeable circumstances the relationship between the Board and the Academic Council, expressed as it is in formal reporting, shared membership and the numerous less formal means of communication characteristic of a small institution, offers a level of governance and accountability appropriate to an institution seeking degree-awarding powers.

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<sup>1</sup> It should, however, be noted that, whilst amendments to the Articles of Association and Memorandum can be made by the Board of Directors, the Board is currently obligated to give the Privy Council 28 days' notice of any intention to reduce the powers of the Academic Council and to fund any scrutiny that the Privy Council may deem appropriate.

- 10 It is clear that the College has benefited greatly from Academic Council's external membership and the independence of its chairman (who has, however, signified his intention to retire in September 2007), in being enabled to draw on members' wide experience in higher education and relevant professions. At an operational level, observations of meetings of both Board and Academic Council demonstrate that these meetings are focussed, strategic, inclusive and supportive of the need for continued investment.
- 11 Academic Council is considered to have been especially influential in catalysing the transition of the College from what the College acknowledges was a programme-driven regulatory and administrative model to an institution-wide one more consonant with higher education. This transition is manifest in numerous ways, viz. the creation of an institutional Registry; the appointment of an influential member of the management team as Academic Registrar; the implementation, in 2006, of institution-wide *Regulations* and procedures; the restructuring of committees and their areas of influence; the increasing formalisation of the staff development policy; the recognition of the legitimacy of scholarship; and the blueprint Academic Plan, which provides for the future activities of both Academic Council and Board.
- 12 Financially, the assessors were advised that the College retains all surpluses for reinvestment in the educational product, making no direct financial contribution to BPP Holdings plc. They were satisfied, following careful enquiry, that this arrangement is currently tangible not artefactual; it is also considered to constitute a sound basis for a mutually beneficial relationship between the two parties, reflecting, from the holding company's perspective, the value to shareholders of the College's developing reputation for delivering a high-quality product and the stability of rental income received from the College. The assessors saw evidence of robust financial systems and secure funding based on the College's continued capacity to attract students – a capacity there is no present or foreseeable reason to question. They noted in particular that the draft Academic Plan assumes the maintenance of intakes at approximately the same overall level within a more diversified range and level of provision. They have also been advised, however, that the College has formally committed itself to the following restriction on its use of taught degree-awarding powers should they be granted:
- BPP College of Professional Studies will seek to use taught degree awarding powers within two broad subject areas: Business & Administrative Studies and Law. BPP College's mission is serving the professional support services sector and those wishing to practise a professional discipline such as accounting, actuarial science, banking, finance, human resources, insolvency, law, management, marketing or tax. BPP College intends to use taught degree awarding powers consistent with this mission.
- 13 The wide-ranging structural changes have also clarified and strengthened the position of the Principal, whose position, terms of tenure and duties are specified in the Articles of Association in the context of the provisions of the Companies Act 1985. The Principal is appointed by, and accountable to, the Board of Directors, in all cases with the approval of Academic Council; the Board determines and modifies his duties, again following consultation with Academic Council. The Principal is *ex officio* Executive Chairman of the College Board and a member of Academic Council; in addition the current Principal is an *ad personam* member of the plc Board. The assessors, while noting the considerable strengths of the current Principal, nonetheless formed the view that recent changes to governance and management are such as to ensure that the College is not excessively dependent on his leadership.

- 14 The Memorandum of Understanding (reinforced by the Articles of Association) makes provision for the protection of the existing and residual interests of students in the event of financial exigency, ownership change, dissolution of the College or programme closure, charging Academic Council with responsibility for ensuring appropriate phasing. Whereas previously the Board of Directors exercised ultimate authority for academic decisions of this kind, the transfer of authority to Academic Council is now enshrined in the Articles of Association, the Memorandum of Understanding and regulation. The assessors particularly noted that, as the College has matured and its deliberative structure strengthened, a new balance has been struck between executive and collective decision-making, marked in particular by a significant increase in operational delegation since Phase 1 of the scrutiny.
- 15 The strengthening of executive leadership at campus level constitutes an important dimension of this increased operational delegation. It is now considered that the College's operations in Holborn, Waterloo, Manchester and Leeds have achieved a fit-for-purpose balance between proper central direction (achieved primarily by campus heads having College-wide executive posts and being members of key College committees, as well as by less formal consultative mechanisms) and an operational flexibility promoting local engagement and staff motivation. Such local academic leadership appears to complement but not duplicate that offered by deans of school and programme directors. The assessors also believe, on the basis of meetings with staff and students at three of the four campuses, that the needs of students at each location are formally protected and consistently addressed; in all cases students spoke in complimentary terms about the competence and commitment of their teachers.
- 16 The assessors have formed the view that the College has a robust annual planning cycle; an appropriate periodic review procedure encompassing sites, programmes and services; a professional approach to risk assessment; an evidence-based approach to policy making and evaluation; a commitment to achieving enhancement through the identification and dissemination of good practice; an effective and sometimes innovative approach to problem solving; and an increasing commitment to corporate and community responsibility.
- 17 Academic Council, which as part of its remit receives direct reports from all programme boards of examiners, is pivotal in the College's academic management structure. Its immediate junior committee is Education and Training Committee (ETC), which in turn receives reports from Learning and Teaching Committee (LTC), Staff Development Committee (SDC) and the Boards of the Law and Business Schools. These school-level bodies are in turn at the pinnacle of schools' own apparently comprehensive deliberative structures, involving programme boards (four in the Law School, three in the Business School), programme committees, module groups and staff-student liaison committees.
- 18 The effectiveness of the suite of committees is addressed in the next section of this report. Overall, however, the assessors consider that these committees now demonstrate a more extensive and positive engagement with the range of external guidance typically deployed within the sector than was the case in Phase 1. This change appears to be associated with a move away from a concentration on quality assurance towards an enhancement culture, and to have been facilitated in good part by the Director of Quality and Enhancement (DQE), appointed in 2005. The increasing self-confidence and maturity which of necessity underpin such a development have been marked, *inter alia*, by

the increasing use of external benchmarks as a basis for active engagement rather than passive compliance.

- 19 The criteria to be met in this section by institutions applying for taught degree-awarding powers relate to financial planning, quality assurance and resource allocation; compliance with legislation; engagement with external advice; internal communications; governance and management; academic leadership; stakeholder involvement; monitoring, review and corrective action; academic risk; change management strategies; assurance of academic standards; and the institutional capacity to manage the responsibilities concomitant with the award of such powers. The assessors are firmly of the view that, in respect of governance and academic management, the College's conduct is sound. In making this statement they note in particular that the College has no reliance on public funds, but operates as a self-sustaining commercial entity self-evidently enjoying the confidence of the relevant professional bodies.
- 20 The assessors have found ample evidence that the College is governed, managed and administered professionally and effectively, and that it has clear lines of accountability and communication. Sound financial management allows it to continue to invest in its already high-quality learning and support structure; its financial policy has the full support of BPP Holdings plc, and forms a strong link between the quality and standards of provision and the resource base. Discussions with staff at all levels have yielded evidence of a sense of shared purpose, supported by clearly delineated functions and areas of professional responsibility.
- 21 The College's academic leadership is considered to have both strength and depth. Its academic policies and systems are developed and implemented in a consultative and inclusive way, involving teachers and students, and it has sound systems in place to ensure that it remains responsive to feedback. Other stakeholders, notably the professions and professional bodies, are provided with ample opportunity to engage with the College in respect of all areas relevant to their areas of responsibility and concern.
- 22 The assessors conclude that BPP College of Professional Studies meets the taught degree-awarding powers criteria for governance and management.

## **B Academic standards and quality assurance**

### **Regulatory framework**

- 23 The College claims that since Phase 1 scrutiny the focus of the management of its higher education provision has moved from a preoccupation with meeting the individual accreditation requirements of professional, statutory and regulatory bodies (PSRBs) for each programme to developing a unified regulatory framework for all credit-rated programmes, modelled on best practice in higher education. For example, safeguards to protect the security and probity of the examination process, which, prior to the introduction of the regulatory framework solely reflected PSRB requirements, now engage actively with relevant aspects of the Academic Infrastructure.
- 24 Whilst the primary focus of this report is on the College's potential to award its own degrees and hence on its experience of higher education, given the College's present portfolio it unavoidably adduces part of the evidence for this from its management of its present suite of qualifications. In this regard it is relevant to point out that the College currently offers three one-year graduate or post graduate programmes and parallel part-time programmes subject to

external accreditation. In each case the requirements of the accrediting body are rigorous and include a consideration of the regulatory framework within which the awards are determined. Within the confines of the narrow range of awards involved, the relevant PSRBs have offered clear endorsement: between 2004 and 2005, for example the Holborn and Leeds legal practice courses (LPCs) were rated 'very good' and the Manchester and Waterloo LPCs said to provide evidence of 'commendable practice' in many areas.

- 25 As indicated previously, in 2005, a Director of Quality and Enhancement (DQE) was appointed, charged with developing policies and structures; and in 2006 Academic Council approved new and comprehensive *Regulations*, covering the criteria for awards, programme requirements and specification, the process of programme approval, monitoring and re-approval, admissions and student progress, assessment, external examining and appeals. The *Regulations* pay due regard to the *Framework for Higher Education Qualifications*, stating that awards must be consistent with it, learning outcomes at least match the appropriate descriptor within it and programme specifications and credit systems be in accordance with it.
- 26 The assessors noted throughout the Phase 2 scrutiny the close involvement of programme managers in debating and agreeing the content of the *Regulations*, which senior managers regard as the glue of the institutional approach, rather as (to change metaphor) they regard the newly-created ETC as the engine room of their interpretation and the Registry as responsible for their implementation, leaving the DQE free to focus on enhancement.
- 27 Overall, in the view of the assessors, the combined effect of these innovations constitutes a radical shift in the College's approach to the regulatory framework. The framework is now, in a way it was not at the end of Phase 1, firmly aligned with the expectations visited upon the publicly-funded higher education sector.

### **Defining and securing academic standards and ensuring the quality of learning opportunities**

- 28 The *Regulations* specify a three-stage programme approval process involving strategic approval by the College, pre-validation scrutiny by a school review board (SRB) and validation by a College Review Panel with external membership, final approval coming from Academic Council. Programme approval lasts for up to five years; re-approval documentation is required to include a critical appraisal of programme operation and external examiners' reports. The assessors consider these Regulations in line with normal expectations of public sector higher education institutions.
- 29 As part of the present scrutiny, the validation process was observed in both schools. In each case the validation process was extremely thorough, with lengthy and detailed programme proposal forms and intensive SRB scrutiny. In one case the SRB report to ETC, while critical, involved a suite of recommendations for the programme development team to consider in making a re-submission, and from perusal of the revised documentation it is clear that the advice was heeded, with an enhanced product emerging in consequence. In this case, the College Review Panel, where discussion was led by two eminent external members with specialist expertise, interrogated the proposal at a general and conceptual level, engaging throughout with relevant external benchmarks as well as the *Regulations*.
- 30 In both cases the assessors concluded that the level of scrutiny, the constructive nature of the approach, the management of the process and the

outcomes collectively constitute evidence of a clear and effective approach to programme approval. They also concluded that the approach is understood and embedded not only in the practices but also in the culture of the College, with senior staff's concern to ensure that educational programmes align market demands with high-quality learning opportunities and externally recognised standards manifest throughout. Overall, the two validations gave the assessors no reason to doubt the College's motivation or ability, now or in the foreseeable future, to meet the expectations of an institution with degree-awarding powers.

- 31 In its *Regulations* the College specifies the purpose of external examining as assuring the academic standards of its awards and their comparability with those of other higher education institutions. The College's external examiners, who are drawn from a range of pre- and post-1992 higher education institutions and PSRBs, are required to scrutinise assessments, sample the work of students on grade boundaries and attend examination boards. In Phase 1 the assessors observed a range of such boards, and their reports indicate that, whilst the quality of chairing was a little variable, the boards were characterised by efficiency, effectiveness and secure decision-making; external examiners attended, played an appropriate role and noted examples of best practice; there was no cause for concern about either the preparatory work (including documentation) or the conduct of the boards themselves (including administrative support). Overall the College's boards of examiners can be said to operate with an efficiency and level of security appropriate to an institution with degree-awarding powers.
- 32 The *Regulations* require external examiners to submit an annual report to the Principal, school boards to consider all such reports as fall within their purview and programme leaders to make a considered response. In 2006 the College introduced for the first time its own reporting template; it is noteworthy that some external examiners chose to use this in addition to the form required by the relevant professional body, and that the form itself attracted positive comment. The DQE is responsible for providing ETC with an annual overview report covering all significant matters arising in examiners' reports – good practice as well as issues to be addressed – and school responses, and Academic Council with a summary report. The assessors noted that ETC, articulating as appropriate with LTC and supported by the authority of Academic Council, professionally and conscientiously ensures that all matters requiring action are properly addressed.
- 33 On the basis of observations and documentary evidence, the assessors are satisfied that external examiners' reports are appropriately considered at both institutional and programme levels.

#### **Meeting learning objectives and intended outcomes**

- 34 College *Regulations* require all programmes to be monitored annually. Programme leaders are responsible for producing annual monitoring reports, written following subject- and programme-level meetings involving all teaching staff; these draw primarily on progression and performance statistics, student feedback, staff peer observation, external examiners' and PSRB reports, and employer feedback. Reports are produced to a standard template, which requires the identification of good practice and weaknesses along with an action plan and report on the implementation of the previous plan. The report is scrutinised by two members of other programme teams before being sent to the DQE, who produces a composite report for ETC and, ultimately, Academic Council.

- 35 In meetings with the assessors, programme leaders pointed to other means by which consistency is maintained, notably peer observation, inter-site script moderation and regular inter-site meetings, whether face to face or by video conferencing. The assessors also noted documentary references to annual programme conferences, module team meetings, student evaluation surveys and meetings of staff-student liaison committees.
- 36 The fact that the College's provisions are subject to PSRB scrutiny yields additional evidence of the extent to which learning objectives are specified and met. It is clear that the outcomes of PSRB visits are overwhelmingly positive; and at an observed (and extremely thorough) Law Society review of LPC provision at the Manchester campus in the course of Phase 1, it was noted that College staff were confident, well-prepared and able to demonstrate that external models of good practice had influenced the institution of the programme.
- 37 Overall the assessors conclude that annual monitoring combines with a suite of internal and external events and procedures to ensure that learning objectives are met, and strengths and weaknesses identified and addressed.

#### **Action taken to promote strengths and respond to identified weaknesses**

- 38 Observations of the predecessor bodies of ETC and LTC undertaken during Phase 1 found evidence that, whilst the agenda items and discussion broadly met the reasonable expectations of a quality assurance committee, members tended to reflect on their own programme-based experience rather than taking an institutional-level perspective; and that decision-making, whilst adequate, lacked a degree of clarity and focus.
- 39 Observations and other evidence sources in Phase 2 make clear that noticeable procedural enhancement has subsequently occurred. For example, a review of the minutes and papers for the nine ETC meetings in 2006 demonstrated that, in addition to receiving routine reports and internal feedback from examiners and students, the Committee discussed a range of College-wide issues including external matters such as revisions to the QAA *Code of practice* and the Bologna Accord, as well as the College's own developing strategies for e-learning and learning resources.
- 40 Observation of an ETC meeting demonstrated that, in contrast to its predecessor body, the Committee discussed matters on an institution-wide basis (albeit at a predominantly operational level), that it interacted effectively with Academic Council and that it gave evidence of a growing culture of policy development being undertaken in the context of sector-wide practice. Similarly, observation of an LTC meeting, which discussed learning styles, large group teaching methods, e-learning strategy and site consistency reported positively on the high level of debate and an engaged ethos which was considered characteristic of the best of higher education.
- 41 The assessors also noted the establishment in 2006 of an Innovations Group, based at the Manchester office and charged with reporting directly to the Principal on 'open-minded "blue-sky" thinking, generating creative constructive ideas for the mid to long term'. The Group appears already to be contributing to developing the strengths of the College, for example in relation to developmental work on an enhanced virtual learning environment, now being taken forward by the newly-appointed Director of Knowledge Services.
- 42 Overall the assessors conclude that the new committee structure, along with the appointment of the Director of Quality and Enhancement, the Director of Knowledge Services, the Dean of Learning, Teaching and Staff Development

(see paragraph 45 below) and the establishment of the Innovations Group, are already and will in the foreseeable future enable the College to assure the standards of its awards and enhance the quality of learning opportunities deriving from its teaching and learning provision.

### **C Scholarship and the pedagogical effectiveness of academic staff**

- 43 In its *Update* the College stated that of its 300+ staff, over 200 are academics; additionally a further 50 staff are hired for sessional teaching. For higher education lecturers the College normally expects a 2.1 level degree; for those teaching on the vocational bar vocational course (BVC) and LPC programmes a professional qualification with a minimum of two years post-qualification experience is expected.
- 44 An analysis of the *curricula vitarum* of academic staff undertaken for the present scrutiny confirms the appropriateness of the qualifications of teaching staff, with the majority of those teaching on academic programmes having postgraduate qualifications, and a number, including some who have been designated to lead the proposed LLM, having apparently good publication records, higher education teaching experience, current external examining positions with higher education institutions, experience of participating in validation events at other institutions and membership of committees established by professional bodies to review the programmes they regulate. In this regard, the assessors note that the outcome of one of the approval events observed for the present scrutiny (see paragraphs 29-30) was that validation was conditional upon the recruitment of more staff of high academic standing and with extensive experience of M-level delivery. The College claims to be confident that conferment of taught degree-awarding powers will enable it to recruit such staff, and the assessors are sympathetic to this view, not least because the College is at liberty to pay at or above the market rate.
- 45 In its *Update* the College provided details of its senior and middle management structure. The senior management team has been strengthened by the recruitment of experienced senior staff from the General Council of the Bar and the Law Society to the posts of, respectively, DQE and Dean of Learning, Teaching and Staff Development; while an internal appointment has been made to the post of Registrar. A senior academic has coordinating responsibility for each of the four campuses and each of the three current professional or diploma-level programmes and the three proposed M-level programmes has its own programme director. At middle management level there are 19 programme leaders, one for each main programme and form of delivery – full-time, part-time and distance learning – at each centre. On the basis of their meetings with staff having key programme management responsibilities, the assessors are satisfied that the College has staff with experience and ability appropriate to the development and delivery of degree-level programmes.
- 46 Details of induction, appraisal and staff development were not available to the assessors during Phase 1; the 2006 LLM validation documentation, however, provides a recent account of the process, supplying details of the induction course and accompanying classroom observation, the mentoring scheme, module-based training, performance review, higher degrees policy and the appraisal system. The same documentation describes the College-wide training programme, leading to the College Learning and Teaching Certificate. This programme, commended by the validation panel and renewed annually on the basis of evidence drawn from the mandatory personal development,

involves peer observation and support groups, as well as training sessions on a range of topics. The assessors also note that the College's prospective developments include purchasing training in M-level teaching from the University of Warwick and securing Higher Education Academy Registered Practitioner status for the Learning and Teaching Certificate.

- 47 The directors of training claimed the staff development process is effective in engaging long-established as well as new members of staff; the London-based teaching staff who met the assessors were cognisant of, and enthusiastic about, the process; staff in Leeds and Manchester, while positive about the training and appraisal process, were less certain about current scholarship requirements.
- 48 Responsibility for staff development lies in the first instance with the appropriate director of training, who is in turn accountable to the Dean of School. Directors of training produce an annual training needs analysis and programme on the basis of user feedback, though the College stressed that they also react flexibly to new issues as they arise. Along with the DQE, directors of training are members of SDC, established in 2006 to ensure a College-wide strategic approach and identify a common core of training.
- 49 The first Annual Report on Staff Development, discussed by ETC in 2007, included a summary of staff development activity for academic year 2005-06 (based on a staff survey which attracted a 42 per cent response rate) and an action plan which identified the need to introduce a core induction programme and improve the effectiveness with which staff development issues are distilled from annual programme monitoring reports. Observation of the first meeting of SDC demonstrated that the meeting was evaluative and reflective in tone, and that staff development was increasingly integrated into the College's wider academic mission.
- 50 In the course of Phase 1 the assessors noted a Bar Council report drawing attention to the lack of motivation among staff to seek training and development outside the College. Since that time considerable progress has been made: in particular, responsibility has been allocated for ensuring that staff join relevant subject associations in addition to continuing their existing links with practitioner associations, and staff are encouraged to attend conferences by means of a £750 annual allowance. Indeed, a minority have given papers at academic conferences.
- 51 In response to a request from Academic Council to consider staff development in the context of delivering programmes in higher education, the College has produced an important position paper, *BPP as a teaching led institution*. This paper sets out the underpinning principles of staff development on an institution-wide basis; stresses the obligation placed on all staff to remain up-to-date with relevant professional practice and academic research; acknowledges the intrinsic importance of research and scholarship; confirms that it will encourage such research activities as will further its profile as a professional training institution; commits itself to giving time to staff to carry out scholarly activities; and confirms that staff lacking M-level qualifications will be encouraged to obtain them in order to increase the number of staff permitted to supervise dissertations.
- 52 The assessors found that a number of staff currently funded to undertake study at M-level and above are receiving a *circa* 20 per cent reduction in teaching hours. Staff development sessions are being offered to raise research awareness and heighten motivation, and the College is currently

contemplating appointing a Head of Research and increasing the systematisation of its research monitoring procedures.

- 53 Recent PSRB reports on the LPC and BVC programmes indicate that staff development remains an area requiring further work. The College acknowledges that it has not hitherto been centrally recorded or managed, and is taking steps to introduce effective institutional-level oversight. Overall, however, and whilst further progress towards recording, defining and strategising staff development remains a medium term *desideratum*, the assessors consider the progress already made demonstrates the College's commitment to the place of staff development in enhancing its status as a learning institution, and is sufficient to demonstrate that the College has satisfied the relevant criterion for taught degree-awarding powers.

**D The environment supporting the delivery of taught higher education programmes**

- 54 Institutions awarding their own degrees are expected to have facilities and procedures that assure and enhance the quality of students' learning opportunities, thereby maximising their chance of obtaining the higher education qualification they are seeking; and mechanisms for ensuring that their teaching and learning structure is meeting its objectives and for responding to identified limitations in a timely and effective manner.
- 55 The nature of this application means that much that could be said for the first time in this section has already necessarily been described. To recap some key points, however, the College currently offers a suite of successful and well-regarded professionally accredited programmes in Law and Accounting; it is planning a further range of M-level programmes for which (see paragraphs 44-45) it is preparing by developing new procedures for programme approval, monitoring and review and by making significant anticipatory investment in materials, staff and support. These actions are underpinned by a new institution-wide regulatory and administrative model of academic management (see paragraph 11); by ring fencing the resource base (see paragraph 12); and by the operations of a radically revised committee structure (see paragraphs 38-40).
- 56 These innovations, together with both the requirement visited on programme leaders to identify the structural demands of any new programme in their proposal documents and the duty assigned to ETC to overview the resources needed to sustain and develop the learning environment, aim to ensure an integrated approach to academic development and resource allocation. For example, the assessors noted the manner in which ETC progressed the Innovations Group's proposals for an enhanced virtual learning environment (see also paragraph 41) through the committee structure to Academic Council and the Board of Directors, translating them into appropriate recommendations to each. They noted also the confidence which both Academic Council and the Board expressed in the Committee, and also that its recommendations set the College's own needs and aspirations in the broader context of the experiences of the higher education sector as a whole.
- 57 The College's current transition to a position in which the DQE is responsible for policy development and the Registry for implementation provides further assurance of the primacy of educational quality and standards in the College's activities, and of its belief that delivering a high-quality educational product is, quite simply, good business.

- 58 The College requires academic objectives and intended learning outcomes to be clearly specified in programme documentation, which is itself, like the programmes it describes, subject to the careful and conscientious annual monitoring already described (see paragraph 34). Additionally, the College's close working relationship with the legal profession, which has led, for example, to the LPC being designed to reflect the training requirements of eight City law firms, means it has longstanding experience of external engagement; while the accreditation requirements of the relevant professional bodies mean that it is already in the habit of meeting external expectations of structural provisions for teaching and learning.
- 59 The assessors consider that the learning support resources with which students are provided exceed benchmark expectations and could with benefit be emulated by some publicly funded institutions. These supports include hard copies of key texts, together with DVD and other downloaded materials, provision of which is rapidly becoming standard practice. On all campuses library facilities provide a range of texts, journals and electronic materials adequate to support both student learning and staff scholarship. IT facilities are extensive and, for the most part, readily available to students; part-time students particularly value the remote access arrangements.
- 60 The assessors also consider that the College's student support services, notably counselling and careers, which operate across all campuses, to be of high quality; students with special needs are identified and appear to receive appropriate support. All support services have systems for collecting and using consumer feedback, and the College takes reasonable steps to ensure cross-campus equivalence.
- 61 The assessors met students from all current courses and three of the four campuses. These students had a good understanding of the structure and delivery of provision, assessment schedules, workloads and performance expectations and the complaints and appeals procedures, which they considered effective and confidential. They reported that on arrival their induction had been thorough and helpful, equipping them for the challenges and requirements ahead, and training them to become informed users of the library, IT and other learning support facilities. They recognised the value of the supports available to them, including mock examinations and other aspects of formative assessment, as well as the continuing support of service areas; and they confirmed the timeliness (for the most part) and constructive nature of feedback on assessments and examinations. Concomitantly, the assessors formed a positive view of the effectiveness of academic staff's learning and teaching strategies, which appear successful in securing the link between learning outcomes and assessment and in ensuring that students are fully prepared for examination.
- 62 The students also confirmed the accuracy of the information provided for them about all aspects of College life and work. The assessors established that the Registry now has ultimate responsibility for ensuring that this situation is sustained; they also noted that the Registry claims to be making good progress towards centralising the statistical data necessary for course monitoring and delivering a 'student facing' information management system capable of meeting all College needs.
- 63 Students have the opportunity to provide feedback on service areas within their specific programmes, and believe their comments are taken seriously. There are a number of mechanisms through which they can offer formal feedback on their academic experience, including staff-student liaison

committees, module and course questionnaires and representation on Academic Council. They are not, however, currently represented elsewhere within the committee structure. Student feedback is monitored at both programme and College level, and students were able to provide the assessors with examples of appropriate responsive actions taken by the College. More generally students appear appreciative of the openness of staff of all levels to informal feedback and of the open-door policy in operation. These arrangements appear entirely satisfactory.

- 64 The main formal procedure open to staff members to make their views known indirectly to College management is the joint consultative meeting, where staff representatives can raise issues with members of the Board of Directors for discussion or resolution. The staff who met the assessors, however, were keen to stress that such meetings are just one of the range of opportunities, informal as well as formal, open to them to ensure the inclusion of their views in the deliberations of senior managers. In general staff appear to feel increasingly engaged in the College and sufficiently empowered to contribute to its development.
- 65 Overall, the assessors consider that the College has a well-developed teaching and learning structure to support current provision, and robust planning procedures capable of ensuring that this position is sustained. In addition to the internal mechanisms used to monitor this structure, PSRB reports provide comfort in respect of the College's track record in meeting the requirements and expectations of external as well as internal stakeholders. The College has in place facilities and support, both academic and non-academic, which, in the view of the assessors, maximise the opportunities for students to experience a worthwhile education and to obtain the qualifications they seek.
- 66 The criteria to be met by applicant institutions under this section relate to monitoring learning and teaching; feedback to and from students; information for students; learning support; student services; progression and performance monitoring; complaints mechanisms; staff development; accuracy of information; and equality of opportunity. Overall the assessors conclude that all the above criteria have been met, and accordingly that the College meets the taught degree awarding powers criterion in respect of the environment supporting the delivery of taught higher education programmes.

## **CONCLUSIONS**

- 67 The first phase of the present scrutiny exercise, the whole of which has been undertaken in accordance with procedures specified by the Department for Education and Skills, took place between April and December 2005. In February 2006 the Committee determined that the nature and velocity of the changes taking place within the applicant institution (then the BPP Law School) were such as to make it impossible for a reliable report to be produced. The present phase of the scrutiny took place, with a modified team but some continuity, between October 2006 and March 2007, by which time it had become clear that the College had in place the main elements of its quality management framework. As indicated previously (see paragraph 5), in addition to private meetings and the study of documentation, this phase entailed a further nine meetings with governors, staff and students in London (Holborn), Manchester and Leeds, and observations of a further 11 meetings, all in London. Whilst no meetings took place in the Waterloo campus the

assessors visited the premises and noted the high quality of physical provision and learning support available there.

- 68 Unusually in a scrutiny of this kind the evidence adduced has of necessity been based in part on educational activities undertaken outside the publicly-funded higher education sector, and the College has only recently come fully to appreciate the significant implications of exercising taught degree-awarding powers. Nonetheless, the evidence of this scrutiny is that, after the period of rapid change coinciding with Phase 1 of the scrutiny, not only has it learned quickly what needs to be done but it has also actively embraced it. Members of the assessor team involved also in Phase 1 have noted the striking change in College culture as well as organisation since 2005, while new members have several times had to remind themselves in the course of undertaking observations that the applicant institution is not already an established provider of higher education. It is important to stress this point, since the assessors are acutely aware that the overall tenor of this report is positive, but on the basis of a narrow track record in higher education.
- 69 The nature of College governance has been as much a preoccupation for the assessors as it doubtless will be for the Committee. Nonetheless, the emerging issues during the unsettled period covered by Phase 1 have, in the assessors' view, all but disappeared. The College has negotiated a managed independence from BPP Holdings plc, permitting it, within the constraints imposed by company law, to create what aspires to be a coherent and integrated relationship between resource allocation and academic planning. Whilst it is too early in the present life of the College for the assessors to flag many achievements for this model, the assessors are satisfied that the model itself is defensible and potentially functional. For the present and foreseeable future the College will have no recruitment problems, it is increasingly able to attract high-quality academic and support staff – a trend likely to accelerate should it be awarded taught degree-awarding powers – and it is well-managed but no longer overly dependent on the Principal *ad personam*. In short, the College's newly developed model of integrated academic and resource planning is soundly designed, potentially liberating and geared to achieving not only quality assurance but also quality enhancement.
- 70 The College's new quality management system, involving as it does rigorous approval, monitoring and review procedures aided by appropriate externality, a clear and seemingly comprehensive deliberative structure with proper student involvement, the creation of appropriate executive posts and a professional concern with examination security and academic standards would not be out of place in a traditional higher education institution. In design the system combines the borrowed expertise of other such institutions with the College's own experience in meeting the requirements of professional regulatory bodies.
- 71 The College is actively encouraging professionally relevant research and scholarship among its staff, a number of whom have experience, as staff members, external examiners or external advisers, of public sector higher education. The College is in the process of developing a more effective and proactive staff development policy; its learning support of, and pastoral care for students appear to operate to a high standard; and students have a firm voice in quality management and consider that the College takes their perspective, interests and welfare seriously.
- 72 The assessors have made only tentative explorations of the implications of the status of the College as a wholly owned subsidiary for its application for

taught degree-awarding powers, having taken the view that it would not be proper or feasible to explore this area in any depth. There are a number of reasons for this view, of which the most relevant one is that, in accepting that the application should proceed in the knowledge of the College's status, the Committee effectively acknowledged its 'in principle' legitimacy in the light of the governing legislation.

- 73 It is inescapable that the structures described in this report, painstakingly negotiated as they have been, can offer few long-term guarantees. Not only can policies and priorities change in the light of changing financial scenarios or shareholder pressure, but a body with taught degree-awarding powers inevitably becomes a potentially attractive acquisition target for predators. These are matters which have been of concern to senior members of the College and others closely associated with its activities for much of the Phase 2 scrutiny; they are, however, deemed outside both the remit and the competence of the assessors, who restrict their comments to a statement of confidence in the integrity of the procedures which have been put in place and of those responsible for putting them there. The assessors also confirm that the College has without doubt placed itself at the quality end of the educational market on the basis that the reputational and economic value of providing a high-quality product constitutes a wholly acceptable return for the very considerable investment it has made in the College's quality management and teaching and learning structure.
- 74 In the light of these considerations the Committee is invited to:
- (i) take note
  - (ii) consider the contents of this report
  - (iii) in the light of it, determine how BPP College of Professional Studies' application for taught degree-awarding powers should be progressed.

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