

Higher
Education
Better
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About HEBRG

The Higher Education Better Regulation Group (HEBRG) was established in early 2010 as the successor to the Higher Education Regulation Review Group (HERRG). It is supported by Universities UK and GuildHE and funded by the Higher Education Funding Council for England, the Scottish Funding Council, the Higher Education Funding Council for Wales and the Department for Employment and Learning (Northern Ireland).

HEBRG is committed to raising the profile of better regulation for higher education, increasing understanding of its benefits and enhancing communication between the sector and its regulators.

HEBRG has an independent chair, Sir Graeme Catto, and the membership is composed of representatives from higher education institutions, regulators, funding bodies, sector agencies, representative bodies and government departments.

For more information on HEBRG, please visit www.hebettereregulation.ac.uk

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- Increasingly, HEIs are taking an institutional overview of PSRB engagement and defining institutional procedures in order to align PSRB collaborations strategically with their individual mission statements and increase internal efficiency. However, early findings from the Survey of University Statutory and External Returns suggest that further guidance could be given to support institutions in achieving a complete single view of their external reporting requirements.

Recommendations

- There is an ongoing need for the HE sector and PSRBs to improve the consistency of the language and terminology used to define PSRBs' status, roles and key activities. This will become more important with the sector's current focus on improving public information to enable better-informed student choice.
- Umbrella groups and inter-professional groupings of professional bodies and regulators have established channels for discussing areas of mutual interest and sharing good practice. Their expertise should be recognised and their work should be more widely disseminated.
- HEBRG should collaborate with QAA, HESA, sector representatives, funding bodies and PSRBs to enhance engagement with PSRBs and maintain and update the HEBRG database of PSRBs as a working resource.
- HEBRG and HESA should undertake further analysis of the data from the University Statutory and External Returns survey to identify areas where greater alignment could be sought between PSRB requirements for data and the services offered by HESA.
- HEBRG should take forward work to secure the commitment of PSRBs to the new *Principles of Better Regulation for Higher Education in the United Kingdom* with the aim of increasing regulatory efficiency, both for HEIs and the PSRBs themselves.

Context

It is widely acknowledged that engagement between HEIs and PSRBs is essential. Access to professions is a key element of the Government's plans to increase social mobility, and PSRB involvement with HE and Further Education (FE) is of high importance. Relationships between HEIs and PSRBs are complex. A clear, sector-wide set of information about these engagements has not been identified to date, and there is a

Objectives

- To locate the intersections of HEIs and PSRBs within the complex and rapidly evolving regulatory framework for HE
- To identify trends in the ways HEIs collect and disseminate public information about their work with PSRBs and integrate the principles of better regulation into increased efficiency and streamlined processes
- To clarify and highlight the key role of PSRBs in setting professional standards and quality assurance
- To compile an online database of PSRBs engaging with HEIs to become a working resource for those interested in understanding this area of the sector's provision
- To provide information to support the *Survey of University Statutory and External Returns*

Structure

This report has five sections. The first identifies and defines PSRBs as a diverse and heterogeneous group of organisations and examines the longstanding challenges in defining PSRBs and how they work with HE. The second focuses on the many permutations of status and role within PSRBs and explains their main relationships within HE. Section Three introduces one of the main outcomes of this project, an online database of approximately 130 professional and regulatory bodies who engage most frequently with institutions. The report then reviews the estimated impact of engagement with PSRBs, and initiatives that have considered PSRBs within the larger framework of HE regulation. The final section considers current initiatives to streamline regulatory processes and improve public information about PSRB activity in HE.

SECTION ONE: Identifying and defining Professional, Statutory and Regulatory Bodies (PSRBs)

It has been widely acknowledged that it is challenging to present a broad-brush map of PSRBs, due to their many permutations of status and role. As a whole, PSRBs are a highly variable group of bodies undertaking a wide range of roles within HE. Some professional bodies are regulators established by statute, for example, the General Medical Council (GMC) and General Dental Council. In many professions, there are regulatory bodies and professional bodies functioning independently of each other and balancing both public and professional interests. Furthermore, not all regulators are statutory and some professional bodies both regulate and represent. There have been changes in recent years, separating the statutory regulatory and representative roles in the areas of law, health and architecture.

What are PSRBs?

PSRB is an umbrella term for a very diverse group of bodies, including a large number of professional bodies, regulators and those with statutory authority over a profession or group of professionals. PSRBs engage with HEIs and other providers of higher education at regulatory, representative and promotional levels. Some bodies have a prescribed statutory or regulatory responsibility to accredit higher educational programmes and determine standards. Professional bodies interact with HEIs in a number of ways, from low-level involvement such as offering student membership, to a very high level of involvement if the body is

A regulatory body acts in the public interest, regulating professional activity or individual professionals.

often as part of their statutory responsibility to ensure minimum standards to enter a profession. The burden of quality monitoring was identified as a significant issue for HE staff and the report recommended that professional bodies shift away from direct control of standards, and move towards indirect monitoring instead. Fifteen years later, there is clear evidence of PSRBs moving towards indirect monitoring and a number of initiatives to better align quality assurance and data collection in HE; these will be discussed in Sections Four and Five.

The QHE survey revealed aberrations in the way PRBs define themselves, reflecting the lack of a common vocabulary across the range of professional bodies and regulators and agreement on what characteristics constitute a PRB. A number of the bodies who defined themselves as a professional body responded that they are not recognised by charter or statute, and do not require members to pass professional examinations

of different PSRBs with different combinations of status and role within a professional (subject) area working together to effectively support and sustain the profession or professionals. Unlike the Engineering Council, the Royal Academy of Engineering does not offer membership, license institutions or award chartered status to individuals; through its annual fellowship programme, up to 60 distinguished engineers are elected Fellows of the Royal Academy of Engineering and thereby distinguished by the letters FREng.

National, international and global PSRBs

The membership and remit of professional bodies may be national, international, and global or cut across these categories. For example, a single undergraduate accountancy course at a university in Scotland

SECTION TWO: PSRB engagement with higher education

The roles of PSRBs in HE

For the purposes of this report, engagement is defined broadly as activities including, but not limited to, accreditation (programme approval and validation), exemption, controlling licence to practise, conferring chartered status and/or professional titles, membership services and participation in initial and continuous professional development (IPD and CPD). Some PSRBs conduct sector-specific research, provide advice and information services, and serve as a resource on employment trends that may be unique to a profession. By means of collaborative provision arrangements, PSRBs are involved in making awards, programmes, or aspects of provision more widely available. Some professional bodies run independent fellowship programmes or award schemes, training networks and professional training courses, and publish professional journals or magazines.

Accreditation: approval, monitoring and review

One of the main roles of PSRBs is the monitoring and review of academic provision through accreditation, the approval or recognition of courses. There are many types of accreditation by PSRBs across the HE sector, and accreditation processes vary widely. Accreditation may be essential, a legal requirement, or it may simply be considered a worthwhile exercise. Accreditation may allow graduates to practise as professionals in their field, grant exemption from all or part of professional exams, or provide entry to membership of a professional association or learned society. However, accreditation or recognition does not always provide professional status, membership or exemption. Accreditation allows HEIs to benchmark their programmes against their peers and standards agreed by the professions. It may ensure that programme content is linked to the requirements of employers. The accreditation process may involve a series of formal, on-site visits to an institution or department, or it may operate more informally, by self-evaluation, submission of documentation, correspondence, or a combination of the above. Internal monitoring and review events may be combined with PSRB accreditation events in order to streamline internal processes for HEIs and reduce the burden on staff. Representatives of PSRBs may act as external advisers to HEIs, confirming the comparability of standards across the HE sector. PSRB requirements are often key components of programme design and may be necessary for approval or accreditation. Information about accreditation or other links to PSRBs may be included in published programme specifications.

Licence to practise, chartered status and professional titles

In some cases, membership of a professional body is a legal requirement and a PSRB has the authority to confer a licence to practise in the particular area or profession that it regulates. Some professions are licensed and others not. For example, doctors, nurses and solicitors must be licensed to practise. If an individual is suspended or expelled by the professional body they are unable to practise. Some PSRBs are responsible for granting chartered status to individuals. Chartered status is different from licence to practise; it may be possible to operate as a professional in the field without acquiring this status. There may be a number of professional bodies for a single profession, only one of which can confer a title. This is the case, for example, in the accounting profession. While chartered status may not be a legal requirement, lack (or loss) of a chartered title may effectively be viewed as a disadvantage in the employment market.

Membership

PSRBs offer membership in a number of categories, including professionals, affiliates and students. Many professional bodies do not have the legal authority to confer professional titles and many professions do not operate by means of special title. A high number of PSRBs offer memberships to students registered

SECTION FOUR: Measuring engagement and the impact of regulation

The better regulation of higher education

As autonomous bodies, HEIs work closely with a wide range of funding bodies, sector agencies and PSRBs. This means that the regulatory and accountability framework for HE is complex and there are many agents and external factors involved in multiple processes. PSRBs are just one of many agents, along with government departments, funding bodies, agencies such as QAA, HESA and the Office of the Independent Adjudicator (OIA) and the Research Councils that help to shape this framework. External factors such as the state of the economy, desired shifts towards sustainability, emphasis on increased efficiency and shared services and demands for value for money also impact and influence the state of the regulatory framework.

The work of HERRG, between 2004 and 2008, was the culmination of at least 10 years of activity focusing on the regulatory burden in HE. The main initiatives prior to HERRG included an HEFCE-sponsored better accountability forum which brought together a wide range of regulators and stakeholders; the Better Regulation Review Group (BRRG); and the Cabinet Office Better Regulation Task Force (BRTF). The work of these groups highlighted the low risk nature of HE, the absence of any major non-compliance or management failures and the complex nature of regulation.

The five principles of good regulation published by the BRTF (1998; 2000) state that regulation should be transparent, accountable, proportionate, consistent and targeted. The UK has long championed better regulation across the private and public sectors, and its system of professional regulation has influenced regulatorTioras

The report by JM Consulting for HEFCE, *The Costs and Benefits of External Review of Quality Assurance* (2005), identified more than 50 bodies involved in the review of quality and standards.¹⁴ The same report cited two institutions that reported interaction with 62 and 30 PSRBs respectively. A report to the QAFRG included a comparison of burden ratings for the 48 'most frequently-cited PSRBs' during the period 2005-2008.¹⁵ The annual report of the Chair of HERRG to the Minister of State for Lifelong Learning, Further and Higher Education (2007) includes a list of 80 bodies provided by DIUS 'that have a role in seeking to exert influence over the way in which universities are managed, the courses they provide, or the way in which they go about their teaching and/or research' (HERRG, 2007: 24)¹⁶ A preliminary survey of publicly available registers from individual institutions demonstrates HEIs engaging with between 15 and 68 PSRBs – defined by institutions for their own purposes as professional bodies, accrediting bodies, PSRBs or professional body partnerships.

The 2008 mapping study for the DIUS survey asked professional bodies and HEIs about their experiences of working together and collaboration. The majority of professional bodies and HEIs considered working together to be a positive experience. Reporting on a scale of one to five, the majority of both institutions and professional bodies considered themselves to be closer to a high degree of successful collaboration (five) than no identifiable successful collaboration (one) and reported that roles that were closer to being well defined (five) than not defined (one) in relation to one another.¹⁷

Recording engagement and coordinating it with institutional procedures

A review of university websites (November 2010) demonstrates that at least 37 of 134 institutions in the UK maintain central registers and/or internal institutional policies for engaging with PSRBs, which are publicly available online. These range from spreadsheets or tables with detailed information to more informal lists of current bodies which accredit the institution's courses, or a simple list of accredited programmes. The content and level of detail in these records and resources varies greatly. The vast majority of the registers are sub-divided by faculty, school or department and are organised by the name of the PSRB or the title of the programmes that are involved in the engagement. It should be noted that several institutions use the term 'accreditation' to represent a wide range of activities that are not limited to formal accreditation visits or events. As a general term, accreditation may be used as an umbrella term to signify any of the following: qualified status, endorsement, exam exemption, (formal) accreditation, provision of curricular material,

RECOMMENDATIONS

1. There is an ongoing need for the HE sector and PSRBs to improve the consistency of the language and terminology used to define PSRBs' status, role and key activities. This will become more important with the sector's current focus on improving public information to enable better-informed student choice.
- 2.

ENDNOTES

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