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BRUNEL UNIVERSITY

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Non-Official Higher Education  
in the United Kingdom

November 1997

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### CHAPTER ONE: INTRODUCTION - THE PURPOSE OF THIS PAPER

The definition of Non-Official Higher Education (NOHE) adopted by the project is:

Learning activities taking place outside the official sphere of responsibilities and influence of the Ministries of Education. This non-official sector offers courses leading directly and/or indirectly to certification (but not necessarily Ministry recognized qualifications). (It) directly and/or indirectly refers to education offered by the establishment proper (for example, private institutions and off-shore branches) and/or in the name of another establishment (for example, franchising) and/or part of regular studies offered by a third establishment (for example, transfer credits).

Non-Official Higher Education has been growing rapidly in the European Union member states over the last twenty years but there is little reliable knowledge of the phenomenon. The purpose of this study is to aim at mapping, comparing and assessing its practices and regulation. Its main aim is to establish knowledge, at both national and European level, of patterns of Non-Official Higher Education in comparison to the official university education sector.

The main objective is to tap such quantitative and/or qualitative sources as exist, on Non-Official Higher Education, especially in relation to the quality and transparency of services provided and parity of titles and/or qualifications granted. This may help identify areas where intervention seems to be needed in order to secure standards and levels of reliability comparable to those of the official higher education sector and thus contribute to mutual recognition of qualifications and the free movement of people and services within the internal European market.

While student mobility still maintains central importance in the ERASMUS programme (the higher education chapter of SOCRATES established in 1987), the programme now offers improved incentives to



universities to add a 'European Dimension' to the courses taken by students who do not participate directly in mobility. In doing so, it takes into account the results of the debate stimulated by the Commission's 1991 *Memorandum on Higher Education in the European Community*. New emphasis is consequently placed on teaching staff exchanges and transnational curriculum development. This is supported through the application of open and distance learning.

### *Methodology*

This is a pilot study intended to establish only the general dimensions of Non-Official Higher Education in the UK. It has been undertaken by consultation, through letter, interview and telephone, with some of the key bodies which have been involved in this issue, and by analysis of such printed sources as are available.

### *Acknowledgements*

We are particularly grateful to Michael Vorbeck, Higher Education and Research Division of the Council of Europe whose knowledge and collection of sources have been made available to us. We also received substantial help from Cari Loder of the University of London's Institute of Education Centre for Higher Education Studies (CHES) whose study of the subject, *Participation in Independent Sector Further and Higher Education*, published as a Statistical Bulletin for the Department for Education in 1993, produced data which she generously provided to us.

We have also had helpful letters from and, in some cases, telephone conversations and/or interviews with: Frances Blow (DFEE), Carolyn Campbell (HEQC), Carole Clark (DTI), Louise Cook (The US-UK Fulbright Commission), Geoff Evans (The British Council), Emma Frearson (American Study Abroad Office, UWS), John Halsey (SUNY Brockport Programme, Brunel University), Patricia Hubbell (Former NARIC-UK), Lyndon Jones (IABE), Caroline King (Home Office), Robin Laidlaw (BAC), Derek Pollard (OUVS), Jessica Randall (BUTEX), Mike Reddin (LSE), Steve Sharples (UKCOSA), Liz Simpson (Cornell/Brown/Penn UK Centre), Carole Webb (HEQC) and Christopher West (ECCTIS).

## CHAPTER TWO: TYPES OF HIGHER EDUCATION PROVIDERS IN THE UK

This chapter provides a description of the different types of higher education providers in the United Kingdom. These include universities, institutes, colleges of higher education, independent or private colleges, non-national colleges and last, non-official establishments. The chapter then proceeds to outline the admission procedures and entry requirements for higher education providers in the UK.

There are several higher education providers in the UK:

1. *Universities, Institutes and Colleges of Higher Education* officially recognised by the State by Royal Charter or an Act of Parliament. Degrees in non-recognised establishments can be recognised or validated by those higher education institutions which are able to confer their own degrees:

### *Universities*

Universities in the UK offer higher education qualifications, including undergraduate and postgraduate degrees and professional qualifications. Many also offer access courses and BTEC HNDs. The former polytechnics in England and Wales now have university status and confer their own degrees. The Council of National Academic Awards (CNAA) which previously conferred their degrees was dissolved in 1992.

All universities are monitored by the Quality Assurance Agency (QAA). Until the 1 April 1997, these functions were undertaken by the Higher Education Quality Council (HEQC) and one of the three national Higher Education Funding Councils (HEFCs) in quality audit and assessments of teaching and research.

### *Colleges of Higher Education*

These include colleges of education, institutes of higher education, institutions of technology, institutes of art and design and schools and academies of music and drama. They may offer courses leading to degrees, postgraduate qualifications, professional and vocational qualifi-



cations and higher education diplomas, but the degree itself must be conferred by a university or other authorized body.

## 2. *Independent or Private Colleges*

There are many private or independent colleges whose courses are independent of government funding. They offer various courses to prepare students for professional, technical, or vocational examinations, as well as GCSEs, A levels, English language examinations and, in some cases, degree courses.

The quality and efficiency of private colleges are not officially monitored, but there are a few organizations which accredit colleges whose standards have been inspected and approved. Accreditation is carried out by the British Accreditation Council (BAC) which provides a list of accredited colleges.

## 3. *Non-national institutions of higher education*

These do not have to be recognised by the state in the UK. But non-UK institutions, for example, American branch universities in Oxford or London, may be accredited in the USA.

## 4. *Non-official establishments*

These are not officially recognised in the UK or overseas. These establishments may offer more exotic or specialized courses. This may not apply to all non-official establishments but the education provided may be of poor quality and in some cases little academic work will be required for the qualifications offered. The length of courses may be short and some may provide degree certificates by return of post simply on payment of a fee.

### *Admission Procedures*

Admission is applied for, as follows:-

- (a) state recognised universities and colleges of higher education – at undergraduate level students apply through the UK Universities and Colleges Admissions System (UCAS) and at postgraduate level students apply directly to institution;

- (b) independent colleges – students apply directly to the institution;
- (c) non-national colleges – students apply directly to institution;
- (d) non-official establishments – students apply directly to the establishment or P.O. Box.

### *Entry Requirements*

Entry requirements for a course are usually stated in terms of British qualifications. For example, four GCSEs and two A levels or their equivalents. The minimum entry requirements vary from one higher education institution to another. Often overseas school leaving certificates do not meet the entry requirements of some British institutions. The National Academic Recognition Information Centre (NARIC) checks whether overseas students qualifications meet British degree entry requirements.

### *Conclusion*

This chapter shows how non-official establishments exist alongside many different types of higher education institutions in the UK but that there is a central admissions process which is concerned only with undergraduates applying to official sector institutions. This means there is room left for middlemen and rogue operators in other admission processes where students have to apply directly to the institution. Whilst the central process in the official sector at the undergraduate level means there is monitoring of institutions, for the non-official sector case there is no central clearing house for admission. Institutions can also determine their own entry requirements for courses so that there is a wide variation in what entry requirements are necessary and a wide range of what is accepted.

## CHAPTER THREE: UK QUALIFICATIONS

UK institutions offer a wide range of courses leading to admission to higher education and to qualifications. This chapter outlines academic, vocational and professional qualifications which provide admission to higher education institutions in the UK.



BTEC National Diploma are accepted by most official institutions of higher education for admission to an undergraduate degree course. The Scottish Vocational Education Council (SCOTVEC) is the equivalent national body in Scotland, offering courses in similar subjects to BTEC.

#### *General National Vocational Qualifications (GNVQs)*

##### *Scottish Vocational Qualifications (SVQs)*

The British government has introduced a national framework of vocational qualifications to provide an alternative to the GCSE and A level academic route. GNVQs (General National Vocational Qualifications) in England and Wales, and SVQs (Scottish Vocational Qualifications) are flexible college-based qualifications equivalent to GCSEs (GNVQ level two) or A levels (GNVQ level three). Most vocational examining boards, including BTEC and City and Guilds, have been brought into the GNVQ framework. This means that BTEC Diplomas are being replaced by BTEC GNVQs. Information on GNVQs is available from the National Council for Vocational Qualifications (NCVQ).

#### *Professional Qualifications*

Many private colleges and colleges of further and higher education (and some others) offer courses leading to professional qualifications in, for example, law, accountancy, insurance, secretarial studies and banking. Difficulties may arise because some courses taken by overseas students may not be recognised and accepted by prospective employers in their home country, or by the institution at which they may wish to continue their studies.

#### *First Degree and Higher Degree Courses*

##### *Undergraduate Degree Courses*

Universities and some colleges of higher education offer degrees at undergraduate level (first degrees) such as BA (Bachelor of Arts), BSc (Bachelor of Science), BEd (Bachelor of Education), BEng (Bachelor of Engineering) and LLB (Bachelor of Laws). Undergraduate degrees, assessed by examinations and other forms of assessment, normally last

for three years. Sandwich courses which involve a period of work experience outside the college between periods spent in academic study last for four years. UK institutions offering genuine UK degrees or approved courses leading to degrees are listed by the Department for Education and Employment (DFEE).

#### *Postgraduate Degrees*

Postgraduate courses are usually taken after the completion of an undergraduate degree. Taught Masters' degrees such as Master of Arts (MA), Master of Business Administration (MBA) and Master of Science (MSc) which may involve attendance at classes, followed by written examinations, usually take one year full time. Research degrees such as Master of Philosophy (MPhil) and Doctor of Philosophy (PhD) involving independent research and the submission of a thesis or dissertation can take up to three years and more. Postgraduate degree courses are also widely available part time.

#### *Higher Doctorates*

Higher doctorates are designated by subject areas, for example Doctor of Letters (DLitt) and Doctor of Science (DSc). These are conferred on the basis of published contributions to knowledge.

#### *Conclusion*

There are many different routes leading to admission to higher education institutions in the UK. Traditional academic qualifications lead to admission, but more recently a vocational qualification route has been added by the UK government. Vocational qualifications may be awarded in some cases on the basis of credit for non-academic work such as achievement in business. This means that there has been an increase in non-traditional types of qualifications accepted for entry into higher education in the official sector. As a result, it may seem more acceptable than previously for non-official establishments to accept students on the basis of a variety of qualifications and life experience as well.



*Academic Qualifications**General Certificate in Secondary Education (GCSEs) and GCE Ordinary level (O levels)*

Ordinary level passes in the General Certificate of Education (GCE O levels) taken outside the UK are still recognised by British colleges, but in the UK this qualification has been replaced by the General Certificate in Secondary Education (GCSE). GCSE courses usually last for two years and students take mainly a written examinations in May or June. Some laboratory work is also necessary for those taking science subjects and oral work for languages.

*Advanced Supplementary level (AS Level)*

Advanced Supplementary AS level examinations are often taken by students from abroad as a way of meeting entry requirements for degree courses at British higher education institutions. Two AS levels are equivalent to one A level for degree course entry. Most universities demand two, or more usually three, A levels at prescribed grades.

*Advanced level (A level)*

Advanced level courses are for two years with usually examinations at the end of the course in June or July, but for some courses there is continual assessment as well.

*Access or bridging courses*

Access courses are offered as an alternative route into UK higher education or vocational training. Some are designed especially for international students, often referred to as 'bridging' courses because they bridge the gap between overseas qualifications and the entry requirements for British courses. They often involve some English language classes and may take up to two years.

*International Baccalaureate (IB)*

Some students come to the UK to study for the International Baccalau-

reate diploma instead of A levels. The IB qualification is widely accepted by higher education institutions in Britain.

*Vocational Qualifications*

Courses leading to vocational qualifications are offered at many levels ranging from work completed in secondary schools, further education colleges and higher education institutions.

*City and Guilds*

City and Guilds of the London Institute is an assessment and certification body which operates across a broad range of work-related qualifications, including subjects as diverse as vehicle servicing and repair, catering and hospitality, information technology, health and social care, communication skills and numeracy. City and Guilds do not stipulate entry qualifications but most colleges would expect students to hold passes in two or three appropriate GCSE subjects.

*Royal Society of Arts (RSA) Examinations*

It is possible to study for RSA examinations in a range of vocational subjects, although they may not always be available through full-time study.

*Business and Technology Education Council (BTEC)**Scottish Vocational Education Council (SCOTVEC)*

Many students study for a Business and Technology Education Council (BTEC) qualification instead of GCSE and A levels. BTEC courses are available in over two hundred and fifty subjects such as computer studies, business, engineering, catering and travel and tourism. Full-time BTEC diplomas are offered at three levels. The BTEC First is equivalent to GCSEs. There is a minimum age of sixteen, and these involve one year of study. The two year BTEC National is equivalent to A and AS levels. The two year BTEC Higher National Diploma (or HND), involving continuous assessment of work, is comparable to two years of a first degree, and the minimum age of entry is eighteen. Good results in an appropriate



## CHAPTER FOUR: OFFICIAL HIGHER EDUCATION IN THE UK

This chapter details the restructuring of the official higher education sector under the *Further and Higher Education Act, 1992* which designated polytechnics as universities.

### *Expansion and Quality Assurance*

The development of mass higher education shifted the participation rate from first about three percent to fifteen percent and then to thirty percent in the late 1980s. Partly as a result of such rapid expansion, the issue of quality became prominent, and strong quality assurance mechanisms for official higher education in the United Kingdom were introduced. Equivalent measures for non-official higher education are not evident except that the terms 'university' and 'degree' are restricted by law to approved bodies.

### *Student Fees*

Until 1998 undergraduate United Kingdom and European Union students will not be required to pay tuition fees. After that date the fees charged will be at the subsidised rate of £1000 per year. European Union students are considered as home students for tuition purposes. Postgraduate courses are another matter. International students (non-EU) pay high fees since the introduction of 'full cost' fees by the UK government in 1979. Domestic postgraduate students pay more moderate fees. This may account for some of the demand for lower cost non-official higher education from non-UK or non-EU students.

### *Expansion of Higher Education*

The expanded and unified university system provides a wide variety of courses suited to students from a wide range of backgrounds. This raises the question: why should students from either the UK or other Europeans seek places on non-official courses? Virtually all with mini-

mum entry qualifications are now able to find a place in an institution designated as being within the university sector. Although the UK system is allowing for some convergence between hitherto different institutions (for example, all universities, old and new, seek to build up their research) the courses now offered and the students recruited have created a highly diverse system. For example, less than half of all students in 1992 were reading for a first degree but for diplomas and professional qualifications. Nearly a third of students in this new mass system of higher education were part-time and over ninety percent of part-time first year students were 'mature' or 'nontraditional' students (that is, twenty one years and above). Vocational education has also greatly increased.

### *Regulatory Framework in Official UK Higher Education System*

Since the mid 1980s, officially recognised institutions have been subject to three forms of quality assurance:

#### 1. *Quality Audit*

This is a procedure whereby institutions are required to demonstrate that they have their own internal systems of quality assurance in place. In 1990 the Committee of Vice-Chancellors and Principals (CVCP) established the Academic Audit Unit. Its origins lay in the CVCP Academic Standards group which had produced a series of reports from 1986 onwards. Its remit was to examine the universities' structures and mechanisms for the Quality Assurance of the provision of programmes of study (and not research) and for the maintenance and enhancement of academic standards. It was to identify and commend best practice to universities. It did so by appointing auditors from nominations by Vice-Chancellors who carried out audit visits to each university.

Under the Further and Higher Education Act, 1992 the universities were allowed to retain responsibility for quality assurance. They set up the Higher Education Quality Council (HEQC) and the Academic Audit Unit became a division of the HEQC. Its remit and mode of operating



remained broadly the same, although its constituency now included the new universities. As polytechnics were upgraded to universities at this time the Council of National Academic Awards (CNAA) was dissolved because all institutions had their own degree awarding powers.

## 2. *Teaching Quality Assessment (TQA)*

This has been administered by the Higher Education Funding Councils for England HEFC(E), Scotland (S)HEFC and Wales HEFC(W) and is a legal requirement under the Further and Higher Education Act, 1992 (each country has slightly different regulations). The unit of assessment is individual subject teaching and a method was devised which relied on the submission of documents, including a self-assessment, and visits to selected institutions. Subject groups would be graded on a three point scale: excellent, satisfactory and unsatisfactory. Universities were required to make claims for grading of excellence which would then be tested by documentary analysis and inspection visits. Visits were also made to institutions assessed by the documentary analysis to be unsatisfactory or on the margin and to a sample of those assessed as satisfactory. The method was revised in 1995 so as to be based on a more complex profiling system based on six dimensions and visits to all institutions. Assessments are made against the aims and objectives of the subject groups and university themselves: thus the dominant concept of quality is that of 'fitness for purpose.' Quality assessment of teaching is not linked to allocation of resources but it is used by the funding councils to determine the allocation of teaching places. In April 1997, the HEQC was merged with the Teaching Quality Division of HEFC(E) to form the Quality Assurance Agency (QAA) of Higher Education.

## 3. *Research Assessment Exercise (RAE)*

This is undertaken by the higher education funding councils. It originated from the Universities Grants Committee (UGC), which in 1984 announced its intention to 'adopt a more selective approach in the allocation of research support among universities in order to ensure that resources are used to the best advantage.' The first exercise was

conducted in 1986. Since then there have been further exercises in 1988, 1992 (when the new universities were included for the first time) and 1996. A four year cycle seems now to have been established.

University departments or subjects groups are graded on a seven point scale and the criteria for each level are briefly outlined in terms of the degrees of international and national excellence attained in a specified period. The methods (selection of material for assessment; indicators used) have been modified since the first exercise in 1986, largely in response to criticism from the academic community. They involve the submission of substantial data every four years on the outputs of research as largely represented by the publications achieved by members of staff of host centres. The ultimate judgements, however, are made by peer review. On the basis of these and other indicators an expert panel for each subject gives a grading from one (low) to five (high); grades three and five are now divided.

In 1995-96, HEFCE allocated £ 636m to universities for research. Ninety four percent of this money was distributed selectively under the heading of Quality related funding. About seventy five percent of quality related funding was determined by the number of research active staff in each institution. But, of the rest, a substantial proportion depended on the research grading awarded in the RAE. The top grade (then five) attracted four times as much as grade two, the lowest grading to bring in any funds. RAE gradings thus represent real money which has been transferred from those with low grades to those with high grades, even though the sharpness of change has to some extent been mitigated by 'capping' the extent of some of the largest transfers. The system has been defended as ensuring that excellence in research is advanced.

## *Conclusion*

With the expansion of the number of higher education providers in the official sector it is difficult to understand why students from either the UK or other EU countries would want places on non-official courses because they should be able to gain entry in the official sector, if they meet (the highly variable) admission requirements. For non-EU students



a possible reason may be the lower tuition fees charged by non-official establishments.

CHAPTER FIVE:  
CURRENT REGULATION OF DEGREE AWARDING POWERS  
IN THE UK AND THE USE OF THE TITLE OF UNIVERSITY

This chapter explains how universities with degree awarding powers are officially listed as 'recognised' by the Department of Education and Employment (DFEE). University relationships with other institutions (which may include overseas institutions) are also referred to, as well as programme arrangements through collaborative provision and validation.

*Establishment of UK Universities*

Prior to the Further and Higher Education Act, 1992 most universities in the UK were established by Royal Charter. Such Charters empowered institutions to award their own degrees and to use the university title. Under the Further and Higher Education Act, 1992 the Privy Council continued to have power to grant institutions of higher education degree awarding powers, and the university title.

*Applications for degree awarding powers*

In considering applications for degree awarding powers the Privy Council seeks advice from the Department for Education and Employment which in turn has sought the advice of the Higher Education Quality Council (HEQC)\* regarding degree awarding power applications.

The DFEE asked the HEQC in June 1994 to take into account the following guidance in considering its advice to the DFEE on applications for degree awarding powers:

\* Since April 1997 the Quality Assurance Agency (QAA).

- (a) an institution should have a track record of successfully offering taught course or research degree programmes leading to degrees validated by one or more institutions with degree awarding powers. The track record should be sufficient to allow the necessary evidence of satisfactory operation to be maintained. The Department for Education and Employment would normally expect the minimum track record to consist of three cohorts of students undertaking the course or programme and proceeding to graduation.
- (b) where an institution is funded by a Higher Education Funding Council (HEFC), the Higher Education Quality Council (HEQC) should take into account advice by the Funding Council in relation to the institution's strategic plans and the outcome of any assessment exercises undertaken by the Council.
- (c) the criteria for both taught courses and research degree powers should be interpreted as robustly as possible. The intention is that no institution shall be granted their own degree awarding powers unless they are fully ready to assume that responsibility. The criteria are designed to ensure that all degrees satisfy the necessary standard, irrespective of the type of institution which awards them.  
Separate criteria exist for teaching and research degrees which can be found in Appendix 1, Criteria for the Award of Degree Awarding Powers and Notes for Guidance for Institutions (HEQC- Committee on Degree Awarding Powers, July 1996).

*Applications for the University Title*

An institution should normally have:

- (a) at least three hundred full-time higher education students in five of the eleven academic subject categories (ASCs) defined by HEQC.
- (b) a higher education enrolment of at least four thousand full-time students;
- (c) at least three thousand full-time students on degree level courses;
- (d) power to award its own taught course and research degrees;



- (e) following the award of degree awarding powers, demonstrated a track record of not less than three years of successfully maintaining degree standards in its different subject areas, and that its strategic plans offer the prospect of those standards being maintained in the future. This last criterion was added in 1994.

Advice is sought from the relevant Funding Council in respect of whether the numerical criteria have been met. In considering whether criterion (e) has been met, advice is sought from both the HEQC and the relevant Funding Council.

#### *Legislation on Recognised Degrees*

Under legislation designed to end the trade in bogus degrees (Section 214-216 of the Education Reform Act, 1988) it is a criminal offence for any institution or person to award, or offer to award, a United Kingdom degree unless that institution or person is recognised by the DFEE. Section 216 concerns the identification of bodies granting or providing courses for recognised awards, and puts an obligation on the DFEE to compile, maintain and publish a list of all recognised bodies and of institutions which, though not themselves recognised bodies are authorized to offer courses leading to the degree of a recognised body. This comprehensive list of all UK institutions offering bona fide UK degree or approved courses leading to such degrees is published by the Department Education and Employment under the title Recognised Bodies (see Appendix 2).

#### *Listed Bodies*

Another list names each education body which is not a recognised body within section 214(2)(a) or (b) of the *Education Reform Act of 1988* but which either:

- (a) provides any course which is in preparation for a degree to be granted by such a recognized body and is approved by or on behalf of that body or
- (b) is a constituent college or other institution of a university which is such a recognized body (see *Listed Bodies Appendix 3*).

The Department for Education and Employment currently does not publish a list of non-official higher education establishments. One can only see whether an institution is recognised or listed by looking at the lists of recognised or listed bodies. There is no official naming of institutions or courses under Section 214(1) of the *Education Reform Act, 1988*.

#### *Institutional Relationships*

##### *Accreditation*

Accreditation is mainly used to describe a process by which an institution without its own degree awarding powers is given authority by a university or other awarding institution to exercise powers and responsibilities for academic provision. Typically an accredited institution whose internal quality assurance processes will have been approved by the accrediting institution is authorized to validate and approve programmes and to exercise delegated powers of quality control and assurance subject to periodic reporting requirements. There is no single national model of institutional accreditation and accredited institutions may exercise different powers and responsibilities.

##### *Affiliated Associated Recognized Approved Authorized Chartered Licenced Institutions*

These terms are widely and variously used by universities to describe their partner institutions. Their meaning is determined by each university in accordance with its own traditions, policy and practice with or without consultation with the partner. Sometimes the terms are used to describe a pre-accreditation phase in a collaborative relationship; sometimes they are used to describe a partnership of a more limited nature.

##### *Programme Arrangements*

###### *Validation*

Validation describes the process by which an awarding institution judges that a programme developed and taught by another institution or organi-



zation is of an appropriate quality and standard to lead to its award. A validated programme may or may not be in a subject area which the awarding institution itself offers. Ex-CNAA institutions (mainly polytechnics) also tend to use the term to describe their internal processes for determining the quality and standard of programmes.

### *Franchising*

Franchising is the process by which an institution agrees to authorize another institution to teach an approved programme whilst normally retaining overall control of the programme's content, delivery, assessment and quality assurance arrangements. The franchising institution may approve some variation in content to meet local requirements.

### *Collaborative Provision*

Under Section 76 (5) of the Further and Higher Education Act, 1992 any power conferred on an institution to award degrees includes power to authorize other institutions to do so on behalf of the institution, or do so jointly with another institution. An increasing number of courses and programmes are being delivered collaboratively with other institutions of higher education as well as with institutions of further education, industry, commerce and the professions. Validation, accreditation, franchising and distance learning are some of the arrangements developed by higher education institutions with partners at home and overseas. Universities with Royal Charters also have powers under their Charters to validate awards in other educational establishments. The purpose of the collaboration is frequently to facilitate access to higher education for students unable to study within the awarding institution, as well as to broaden the recognition and certification of learning in other education and training organizations, including professional statutory bodies and commercial companies.

Collaborative provision in higher education involves at least two partners, one of which will be directly responsible, or indirectly if an external award is involved, for the higher education award to which collaboration is directed. The responsibilities of the awarding institution

for quality assurance are greater, but the collaborative relationship will benefit from an acknowledgement of the separate and mutual responsibilities of all parties. The nature and level of these responsibilities will differ according to the form and scope of the partnership. Some forms involve institutional-level agreements which define the partners as accredited, associated, affiliated or recognised institutions. These agreements may span different forms of programme-level collaboration, for example, university validation programmes wholly designed and taught by a partner institution; the franchising of university-designed programmes to other providers within a university-controlled system for quality assurance; joint programme development and teaching and forms of outreach provision. Other forms of collaboration may be more limited, for example, distance teaching and learning, external supervision of research degree students, and involvement with commercial partners through university credit rating of in-company training programmes. These nevertheless involve, in some measure, a transfer of responsibility for aspects of teaching and students' learning from an awarding institution to a provider. Careful attention needs to be paid to how this transfer is managed, and to how the quality and standard of educational provision are assured.

### *Collaborative Provision in the United Kingdom*

The validation by higher education institutions with degree awarding powers of courses at associated or affiliated institutions is now the subject of a separate audit exercise by the Higher Education Quality Council. This is relatively recent activity because consideration of such arrangements was previously subsumed within the main audit provision but many institutions have a large amount of collaborative provision which cannot be fully addressed within the main audit. The audit process rests with the higher education institutions, irrespective of whether or not they have degree awarding power or the university title. As of April 1997 the end of the first round of HEQC audit will be complete and all UK higher education institutions (HEIs) will have been audited and many will have had a separate audit of their collaborative provision.



*Collaborative Provision Overseas*

HEQC has initiated a third type of audit which includes collaborative provision overseas. As part of the 1996 pilot programme a HEQC team visited five countries to look at the quality assurance of links between the UK institutions and their overseas partners. An overview report of this activity, including reports of the individual links audited, will be published later in 1997. The HEQC in 1995 published a Code of Practice (see Appendix 4) in respect of collaborative provision overseas. This is currently being revised in the light of the findings of the pilot audits and comments from other interested parties such as professional bodies.

The overseas audits of collaborative provision stem from the Higher Education Quality Council's institutional quality audit programme. Since 1992 the Higher Education Quality Council has incorporated collaborative provision (formerly validated provision) in the scope of its academic quality audits. The purpose has been to review how an institution satisfies itself that the standards and quality of its awards and programmes, wherever and however these are offered to students, are maintained. Having embarked upon collaborative provision audits, it became apparent that it was impossible to apply the audit method (which involved face-to-face discussions with staff and students from the partner institutions) to overseas partners in the course of a UK based audit. Higher Education Quality Council (HEQC) audit teams have enquired into overseas partnerships by examining quality assurance arrangements from the UK end of the partnerships, but concerns were voiced by some who felt that this did not constitute a wholly satisfactory enquiry. The HEQC was also conscious of some publicly expressed disquiet outside the UK about alleged imperfections in quality assurance and delivery of overseas programmes involving UK universities and other institutions. The HEQC decided to extend the audit process to overseas partnerships. In 1995 the HEQC conducted a series of fact-finding visits to a number of countries and in 1996 embarked upon a pilot programme of overseas visits in Greece, Spain, Hong Kong, Malaysia and Singapore. HEQC audit reports are published and can be obtained from the Universities and Colleges Admissions Service (UCAS).

*Overseas Partnerships in the EU covered by the Pilot HEQC programme*

These include:

*Greece*

University of Hertfordshire and Independent Science and Technology Studies, Greece;

University of Portsmouth and KORELKO Hellanion, Greece;

University of Strathclyde and Person Centred Approach Institute, Greece;

University of Plymouth and Business Centre of Athens, Greece;

University of Wales, Swansea and Athens Campus Wales, Greece.

*Spain*

University of Kent at Canterbury and Escuela Superior de Arte Dramatico de Ayuntamiento de Torrelodones, Spain;

Southampton Institute and Iniciativa de Formacion Empresarial, Murcia, Spain;

University of Wales and Institucion Empresarial Europa, Madrid, Spain;

University of Wales and Escuela de Negocios Caixavigo, Vigo, Spain.

The Higher Education Quality Council's interest in overseas partnerships includes all partnerships which lead to an award of a United Kingdom institution through study on an approved programme taught either wholly or in part through a partner institution based outside the United Kingdom. It therefore embraces partnership institutions within the European Union member states and beyond.

There are complications here arising from the SOCRATES (ERASMUS) programmes and the extent to which the student mobility which these programmes support and encourage involves actual partnerships involving teaching on programmes approved by a United Kingdom institution to lead to its award. The Higher Education Quality Council's interest in overseas providers embraces all possible providers, whether they be state-funded universities or private bodies. State-funded universities however may be running unrecognized courses. There are particular issues of award recognition and the standing of private institutions in



some European Union member states (and differences within individual member states) in respect of higher education where partnerships with non-national providers are concerned.

An important distinction was made to us by the HEQC between non-official institutions and non-official qualifications. For example, as in the Netherlands, it is possible for a university, which is a state institution, to offer courses leading to non-official qualifications.

#### *Open University Validation Services (OUVS)*

In 1992 the Open University (OU) embarked upon a major new development of its role by agreeing to use its Royal Charter to validate awards in other educational establishments, commerce, industry and professional bodies. The OUVS's validation approach is based on the principles, processes and regulations of the former Council of National Academic Awards (CNAA) which was dissolved in 1992 following the designation of polytechnics as universities. OUVS provides a national and international validation service for a complete range of higher education awards. These awards are available to approved institutions entering into an accredited relationship with the Open University. The autonomy of institutions in which awards are offered is recognised and reflected in the design of degree and diploma validated certificates, thereby encouraging the identification of students with the institution at which they take their courses. Institutions accredited by the OU range from large institutions with a large variety of provision to small institutions offering perhaps only one approved course (see Appendix 5 Principles Characterizing Institutional Approval).

#### *Accreditation by the Open University (OU)*

An institution is judged by a group of external peers to provide a satisfactory environment for the conduct of programmes leading to Open University validated awards. The object is to ensure that there is an appropriate environment for teaching, learning and assessment; and active programme of staff development; and appropriate internal system of quality assurance. A panel of specialist advisers is convened to

consider a written self-evaluation prepared by the institution (see Appendix 6 Guide to Information Needed From Institutions Seeking Accreditation to Offer OU Awards), and visit the institution and meet senior management, teaching staff and students. Accreditation of an institution is a pre-requisite for the approval of any programme of study. Accredited institutions are reviewed on a regular basis to ensure that they are still continuing to meet the necessary conditions for validated awards of the Open University.

#### *Programme Approval by the Open University (OU)*

To validate a programme, a panel consisting mainly of subject specialists visits the institution to discuss the programmes with the staff team. Regard is paid to its ability to achieve the academic and other objectives set for it. This includes consideration of such issues as the curriculum and syllabus, the qualifications and experience of teachers, the facilities available to support the programme such as access to libraries and computers, admission arrangements, assessment methods and course management arrangements. Once approved the programme is subject to regular internal monitoring and, every five to seven years, to a formal review by a similar group of specialist advisers (see Appendix 7 Guide to Programme Document).

#### *Open University Validation Services (OUVS) and Research Degrees*

Open University Validation Services approves organizations as Sponsoring Establishments through which students may register for research degrees of the University (see Appendix 8 Approved Sponsoring Establishments with Research Degree Students).

The Open University Validation Services charges fees for their validation services. This includes both institutional accreditation and course validation (see Appendix 9 OUVS Fees 1996/97).

#### *Open University (OU) International Activities*

The Open University has extensive international coverage with offices in twelve countries and over two and a half thousand students in the



European Union. As well as centres in the European Union, the Open University has collaborative schemes in Hungary, the Czech and Slovak Republics and Russia. It also provides consultancy services and course materials to other open and distance-teaching institutions in more than twenty countries around the world.

The Open University Validation Service has accredited institutions in France, Denmark, the Netherlands and the Czech Republic for awards at both first degree and postgraduate levels. It is concerned to assist its United Kingdom-based accredited institutions to develop academic links with institutions overseas, and to encourage the dissemination and development of systems of academic credit transfer and mutual recognition of awards. Credit rating by the Open University is available at the national level through the Credit Accumulation and Transfer Scheme (CATS).

A list of establishments which have higher education courses validated by the Open University as of April 1997 are given in Appendix 10 Validated Courses and Codes.

Further Education Colleges often have courses validated by universities and the universities concerned are trying to keep a grip on promotional material. No accreditation in the United Kingdom is necessary once an institution has degree awarding powers.

### Conclusion

British Quality Assurance (QA) arrangements in official higher education in the United Kingdom are constantly being scrutinised and tightened to ensure that recognised and collaboratively provided British higher education maintains its reputation for quality and standards irrespective of the awarding body or mode of provision. This is particularly important because collaborative provision is on the increase to make UK higher education more widely available and this occurs between official sector institutions and non-official establishments.

## CHAPTER SIX: EXTENT OF NON-OFFICIAL HIGHER EDUCATION IN THE UK

Non-Official higher education occupies a moderate proportion of higher education in the UK. Its extent has been charted by the study *Participation in Independent Sector Further and Higher Education in Great Britain* conducted by the Centre for Higher Education Studies, Institute of Education, University of London for the Department for Education which looked at a snapshot week in May 1992. This revealed some five percent of students were taking courses at the Non-Official Higher Education (NOHE) level (either postgraduate, degree or sub-degree level). The following tables show the full extent of independent post-secondary education. Of the 597,000 students enumerated, 31,000 were in higher education of all levels.

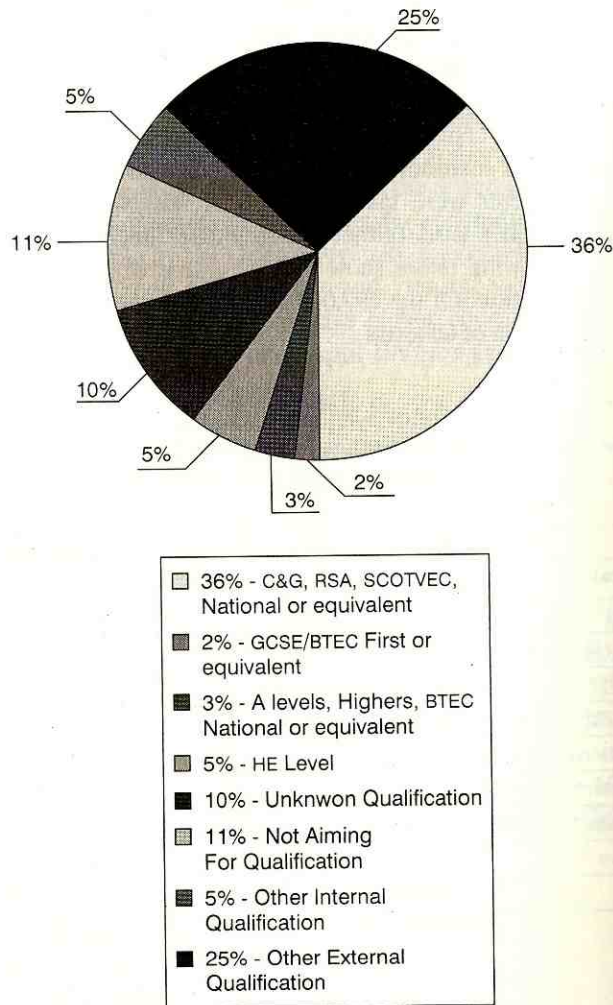
TABLE 1.  
*Independent Sector Further and Higher Education in Great Britain:  
Estimated number of Students by Qualification aim*

Students registered during the Survey week		
Qualification Aim	Numbers (000s)	Per Cent
HE level	31	5
A level, Higher, BTEC National or Equivalent	16	3
C & G, RSA, SCOTVEC National or Equivalent	215	36
GCSE/BTEC first or equivalent	13	2
Other external qualification	148	25
Other internal qualification	50	8
Not aiming for qualification	63	11
Unknown	60	10
<b>TOTAL</b>	<b>597</b>	<b>100</b>



FIGURE 1.

Number of Students by Level of Qualification Aim



CHAPTER SEVEN:  
EXTENT OF NON-OFFICIAL HIGHER EDUCATION IN THE UK

Non-official establishments accounted for fourteen percent of the total FE/HE sector (or 597 students out of a total of 4,142). The comparisons also show that a higher proportion of students were studying full-time in non-official establishments than in the official sector.

TABLE 2.

Independent Sector Further and Higher Education in Great Britain:  
Comparison with Publicly-funded Sector 1991/92

	Thousands		
	Full-time & Part-time	Full-time	Part-time
Publicly-funded FE/HE (Universities, former Polys. and other FE/HE Institutions)	3,545	1,352	1,193
Independent FE/HE (during survey week, including non-attend)	597	296	301
Total FE/HE	4,142	1,648	1,494

Table 3 (see following) shows the top five subjects being studied in the Non-Official Higher Education (NOHE) sector were 1) Business (7482); 2) Engineering/Technology (2819); 3) Medical Related (1900); 4) Alternative and Complementary Medicine (1611); 5) Mixed Academic Education (1406). This table provides information on all students in the non-official sector and not just those in higher education.



TABLE 3.  
TOTAL NUMBER OF STUDENTS BY LEVEL AND SUBJECT OF COURSE (WEEK BEGINNING 11.MAY 1992)

Subject of Course	Qualification aims	Degree or other above A level/Highers/BTEC or Scottish HND/HNC	A Level/Highers/BTEC National or Scottish HND/HNC	GCSE or SCE O/S BTEC First	C&G/IRSA SCOTVEC National Certificate or vocational	Other qualifications		Non-qualifications	Unknown Level	Total All Courses
						External	Internal			
Academic Education (Science)		707	2,451	5,510	0	84	54	37	32	8,875
Academic Education (Non-Science)		803	1,026	844	782	1,489	441	1,127	427	6,939
Academic Education (Mixed and other)		1,406	761	189	2,479	1,760	251	325	-	7,171
Engineering and Technology		2,819	3,670	1,983	19,308	14,482	3,227	1,199	507	47,195
Computing & related subjects		849	1,434	719	31,105	15,645	3,440	1,895	690	55,777
Medical related		1,900	2,807	422	6,366	29,756	3,849	822	1,264	47,186
Business (including Finance)		7,482	1,756	650	37,004	41,479	5,726	6,064	6,540	106,701
Secretarial		469	572	511	20,625	7,127	3,551	448	1,000	34,603
English as a Foreign Language		82	592	50	2,536	6,837	3,998	11,281	1,317	26,693
Languages other than English		135	133	249	175	727	72	1,683	2,599	5,773
Alternative and Complementary Medicine		1,611	122	4	9,271	1,508	7,178	85	627	20,406
Hotel/Catering/Tourism service		196	460	127	10,392	1,241	362	312	85	13,175
Creative Arts:Painting/Pottery/Drama etc.		1,067	217	92	3,293	1,646	6,259	10,932	509	24,015
Personal Services eg. Hairdressing, Beauty etc.		173	77	222	7,881	1,886	109	697	100	11,145
Horticulture		103	2	0	3,027	262	0	41	163	3,593
Construction		755	0	859	21,001	2,169	187	1,680	769	27,420
Religion		2,817	73	70	0	232	5,584	2,483	731	11,995
Health & Safety		8	51	0	317	2,556	212	1,955	1	4,800
Transport		0	30	0	1,101	959	117	46	-	2,313
Other & Unknown		7,540	3	322	38,742	16,365	4,971	19,621	42,741	130,310
TOTAL		30,922	16,308	12,823	215,405	148,010	49,588	62,733	60,102	595,891

**Table 4** (see following) shows the number of students by normal home residence and qualification aim. At full-time degree level the highest number were overseas students from countries outside the European Union.

**Table 5** (see following) shows at degree level the highest number of students by source of support were those who were self-financed either by themselves or their families.



TABLE 4.  
TOTAL NUMBER OF STUDENTS BY NORMAL HOME RESIDENCE  
AND QUALIFICATION AIM (WEEK BEGINNING 11 MAY 1992)

Qualification aims	United Kingdom	Other European Community	Other Commonwealth	Other Countries	Total	Unknown
DEGREE COURSES (or above)	FT	2,937	1,437	996	3,056	8,426
	PT	847	56	213	300	1,415
COURSES ABOVE: 'A' Level/Scottish Highers/BTEC National/Scottish HND/HNC but below degree level	FT	3,266	130	663	249	4,308
	PT	1,713	28	21	4	1,766
Courses at 'A' Level/Scottish Highers/BTEC National/Scottish HND/HNC and equivalent	FT	4,408	225	276	346	5,255
	PT	1,941	8	190	-	3,139
GCSE/SCE 'O-S' grades/BTEC First	FT	4,218	36	111	64	4,429
	PT	783	-	150	2	935
C & G/RSA/SCOTVEC National Certificate/other vocational qualifications	FT	128,700	1,189	1,678	2,923	134,49
	PT	22,665	66	653	239	23,623
Other external qualifications	FT	27,941	1,488	1,077	3,291	33,797
	PT	13,038	242	247	359	13,886
Internal qualifications (i.e. qualifications of the establishment)	FT	4,670	1,075	317	1,539	7,601
	PT	10,956	222	370	253	11,801
Not aiming at qualifications and unknown	FT	10,282	1,796	198	4,836	17,112
	PT	17,962	1,483	569	696	20,710
TOTAL	FT	186,422	7,376	5,316	16,304	215,418
TOTAL	PT	69,904	2,105	2,413	1,853	77,275
<b>GRAND TOTAL</b>		<b>256,326</b>	<b>9,481</b>	<b>7,729</b>	<b>18,157</b>	<b>292,693</b>

(GB - WEIGHTED ESTIMATES)

NOTE: TOTAL EXCLUDES 1,271,954 FOR WHOM INFORMATION WAS NOT PROVIDED

TABLE 5.  
NUMBER OF STUDENTS BY SOURCE OF SUPPORT (11 MAY 1991 - 30 APRIL 1992)

QUALIFICATION AIM	FUNDER	Training Voucher TEC/LEC	Govt or LEA Grant	Employers	Fees paid by Students or Relations	Charities and In-house Funding	Various Combinations and Other	Not Known	TOTAL
DEGREE COURSES (or above)		51	544	1,229	9,349	1,107	211	1,805	14,752
COURSES ABOVE: 'A' Level/Scottish Highers/BTEC National/Scottish HND/HNC but below degree level		90	5,538	2,552	1,651	1,219	1	305	1,541
Courses at 'A' Level/Scottish Highers/BTEC National/Scottish HND/HNC and equivalent		987	1,129	1,710	5,384	443	2	48	9,758
GCSE/SCE 'O-S' grades/BTEC First		2,806	4,610	199	839	94	-	274	8,935
C & G/RSA/SCOTVEC National Certificate/other vocational qualifications		139,984	19,142	36,331	26,927	5,432	9,370	2,012	258,386
Other external qualifications		19,634	4,374	53,539	17,259	1,903	1,545	4,616	111,108
Internal qualifications (i.e. qualifications of the establishment)		3,051	3,208	9,546	23,139	40,788	21	4,542	89,011
Not aiming at qualifications		6,920	5,414	34,826	61,193	13,199	1,624	2,824	131,572
<b>TOTAL</b>		<b>173,523</b>	<b>43,959</b>	<b>139,932</b>	<b>145,741</b>	<b>64,185</b>	<b>17,774</b>	<b>15,423</b>	<b>596,543</b>

(GB - WEIGHTED ESTIMATES)

NOTE: TOTAL EXCLUDES 1,271,954 FOR WHOM INFORMATION WAS NOT PROVIDED



CHAPTER EIGHT:  
NON-OFFICIAL ESTABLISHMENTS IN THE UK -  
ATTEMPTS TO APPLY CONTROLS

For over fifty years, successive governments have been pressed from many quarters to outlaw non-official establishments and this chapter provides an account of the history of UK legislation in this area:

*Universities Degrees Bill, 1933*

In 1933 the Association of Scientific Workers sought action from the government. This attempted to make it a statutory offence to use or assume a bogus degree.

*Academic Degrees Bill, 1960*

The Committee of Vice-Chancellors and Principals (CVCP) has been raising the issue of legislation since as far back as 1960, after being asked by the Universities Advisory Committee of the British Council to do so. The British Council is a government agency of the Foreign and Commonwealth Office (FCO). The University of London was concerned at this time with St. Andrew's College, Tottenham, London which was causing embarrassment to them, as well as to the official St. Andrew's University, Scotland.

A draft bill for an Academic Degrees Bill was discussed in the 1960. This aimed at cutting off the availability of bogus degree awarding institutions and was limited to the one offence of granting or conferring a degree which purported to be a degree of a university within the UK, but which was not in fact a degree of an institution empowered to grant academic degrees. The Academic Degrees Bill, 1960 was not passed into law. Its provisions would have been:

Persons or institutions empowered to grant academic degrees are:

- (a) any empowered by or under Royal Charter or Letters Patent of the Crown;
- (b) expressly empowered by an Act of Parliament or by any Ordinance deriving its authority from an Act of Parliament.

*Robbins Committee on Higher Education (Section 435 – Reporting 1963)*

The Committee proposed arrangements whereby degrees would be more widely available than ever before in the UK. The Committee was keen to maintain the high standard of degrees in the UK and wished to call attention to the anomalous state of the law in regard to bogus degrees and recommended legislation to stop them:

There is at present in Great Britain virtually nothing to restrain unauthorized associations or persons who purport to award degrees. Unless fraud is to be proved a degree can be conferred after studies of trivial content, indeed no study at all. It is true that such degrees have limited appeal to residents in this island: but they have sometimes, through ignorance proved attractive to people abroad, and caused embarrassment to those concerned with the repute of British education.

*The 1970s*

Legislation against spurious educational qualifications was proposed by Joan Lestor, Member of Parliament (MP), (Hansard, 1 December 1972). The Under-Secretary of State for Education, Norman St. John Stevas, replied there were some legal remedies already in existence: The Theft Act, 1968 has (Sections 15 and 16) which refers to pecuniary advantage by deception and could be used against degree mills that trade on a reputable name and give qualifications that have a resemblance to a *bona fide* university. There was also the possibility of civil action for any monies paid to bogus establishments.

The Department of Education and Science (DES) pointed out in the 1970s that if bogus degrees were outlawed a fresh crop of associateships, fellowships and licentiateships would appear and that it was not the Department of Education's function to say what is a bogus institution. The Department continued that it can identify a genuine institution, and what is a genuine institution for certain purposes, such as qualified teaching status. The difficulty would be that once the Department started issuing lists they move from a position of where they can indicate that there is nothing against the organizations on it, to a position where it is understood that they are recommending particular organizations. Others not on the list will clam-



our to get on it – the difference between a *nihil obstat* and an *imprimatur*, an important distinction but one that is not always easy to grasp.

Joan Lestor at this time mentioned in the UK parliament in 1972 a number of non-official institutions: London Institute of Applied Research, London School of Applied Science, Nebraska College of Physical Medicine (Coventry) and Sussex College of Technology.

#### *Regional Concerns – The Council of Europe*

The Department of Education recommended that Joan Lestor, MP took her campaign to the Council of Europe where the Committee on Higher Education and Research was looking into the equivalence of diplomas and had issued a list of institutions not recognised as institutions by member countries.

#### *The Common Market*

The European Common Market was also concerned with the question at the time it was considering Article 57 of the Treaty of Rome which deals with the movement of qualified people. In the late 1990s the Treaty on Europe Union (Maastricht Treaty) shares similar concerns. SOCRATES (the education section) is based on Articles 126 and 127 of the Treaty on European Union (Maastricht Treaty). Article 126 states that the community “shall contribute to the development of quality education” by means of a range of actions, to be carried out in close cooperation with the member states. These include the development of a “European dimension” in education, in particular by enhancing the teaching of languages, encouraging mobility of students and teachers, providing for improved recognition of study abroad, stepping up cooperation in the field of distance education and intensifying the exchange of information and experience on educational systems across the Community as a whole.

Unofficial degrees were also referred to by the Prince of Wales in 1972 at the fifth degree conferment of the Council of National Academic Awards (CNAA). At this time the Department of Education estimated there were about seventy-eighty unofficial institutions. DES official lists of provider institutions were first published in May 1973.

#### *Education (Status of Degrees) Bill, 1973*

This was another Private Member’s Bill proposed at outlawing unofficial degrees. The Department of Education still suggested legislation was difficult, even though the Robbins Report recommended and suggested it was possible. This bill did not succeed in becoming an Act of Parliament.

#### *Status of Degrees Bill, 1983*

A similar bill was introduced again because of the damage to the UK’s reputation. The British Council express disquiet again to Department of Education. The British Council provided confidential information to their overseas offices about unofficial institutions in the UK.

#### *Foreign and Commonwealth Office (FCO) and the Endorsement of Bogus Degree Certificates*

The Legislation Office of the FCO provides a regular service to the public by authenticating the signatures and seals of public notaries and other “public officials” appearing on all kinds of documents destined for abroad. They have neither the resources or facilities to investigate the origin and contents of hundreds of documents submitted to them daily and, as the wording of the certificate bears out, the service consists of no more than confirmation that the signature and, where appropriate, the seal of the public official is genuine: it does not imply that the contents of the document are correct or that they meet with FCO approval.

In the past, academic certificates and other documents issued by educational bodies were certified by the Department of Education before being submitted to the FCO. For reasons of economy the Department of Education and Science withdrew their authentication service in 1981 with the result that privately practicing notaries and solicitors were left to fill the breach. This situation has proved inadequate because bogus degrees have mistakenly been authenticated.

#### *Companies Act (Business Names) 1985 (Amended 1989)*

The Department of Trade can prosecute institutions conducting a business (of granting degrees) under a name other than under the one regis-



tered. Permission from the Privy Council has to be received before the title 'university' can be used. The CVCP has recently voiced concern that this should be extended to 'university college' titles as well because the Standing Conference of Principals (SCOP) believe any institution with degree-awarding powers or formal accreditation agreement with a university should be able to call itself a university college (see Appendix 11 'V-Cs Want Law On Title Use,' *THES* 14 March 1997).

### *Education Reform Act, 1988*

This limits the power to award degrees:

- (a) it restricts the bodies who may be listed to institutions authorized by Royal Charter or Act of Parliament to award degrees;
- (b) any other award or offer constitutes an offence if it describes itself as a degree or if it uses any of the terms bachelor, master or doctor and appeared to be awarded or offered by a UK educational institution;
- (c) an offer to award a UK degree includes correspondence or advertisements inviting people to apply for such a degree;
- (d) imposes fines for breaches of the law.

The piece of legislation is restricted to protecting UK degrees only. The government deprecates the trade in other unofficial qualifications but sees it as impracticable to extend protection to diplomas and certificates. A degree can be properly related to an institution or person authorized by Royal Charter or Act of Parliament to award it, while a diploma or certificate cannot. A person who can confer a degree is the Archbishop of Canterbury under the *Ecclesiastical Licenses Act, 1533* (Peter's Pence Act) but this has not been used for many years.

The legislation does not cover degrees offered in the UK by branches of foreign universities whose principal establishment is outside the UK. Such institutions need to make clear on their correspondence, certificates and the like, the provenance of their degrees in order to ensure that they could not reasonably be mistaken for UK degrees. The legislation includes the Channel Islands and the Isle of Man.

Government action had long since been taken in Hong Kong and

Canada. Hong Kong's Education *Ordinance 86* states that no person or school shall award a degree to a person, or issue any document, which could reasonably be taken as signifying the award of a degree to a person. The Canadian Province of Ontario has on the statute book an Act to Regulate the Granting of Degrees. A number of American states have also introduced legislation but many have not.

### *Trading Standards Agency and LEAs*

Enforcement is carried out by local authority trading standards officers and enables officers to secure a warrant for the purpose of obtaining relevant documents which might be needed in evidence. Trading Standards Officers are, however, over burdened and are unlikely to spend much time on non-official higher education establishments.

### *Advertising Standards Agency*

Checking the factual content in advertisements is a difficult task because many bogus establishments publish in reputable UK newspapers and journals, paying high fees to do so. These establishments also advertise overseas. Now establishments have been known to advertise on the internet.

### *New Scotland Yard Fraud Squad and the US Federal Bureau of Investigation (FBI)*

New Scotland Yard and the FBI in Operation Dipscam brought indictments against people for operations at: University of England at Oxford (London) and Cromwell University (London).

### *Conclusion*

The British Council have long been campaigning to have more quality assurance and regulation of non-official establishments in the UK so that international students in the UK will not receive a sub-standard or unrecognised degree. However there has been no central effort by the Department of Education to monitor these establishments so it is left to



many disparate bodies to do. There is, however, legal provision which restricts overseas students attendance at them (see Chapter 8, Home Office Requirements).

## CHAPTER NINE: INDEPENDENT COLLEGE EVALUATION IN THE UK

This chapter examines the bodies that exist to monitor non-official higher education in the UK. These include the British Accreditation Council (BAC) and the Open and Distance Learning Quality Council (ODLQC). The only official control is that exercised over student visas by the Immigration and Nationality Directorate (IND) of the Home Office. It is not compulsory for non-official establishments to be monitored by the BAC unless they wish to become a member of the Education Counselling Service (ECS) of the British Council which provides them with publicity.

### *British Accreditation Council for Independent Further and Higher Education (BAC)*

BAC is an independent body established in 1984 "to improve and enhance the standards of independent further and higher educational institutions in the UK by the establishment of a system of accreditation." It accredits independent institutions which meet its required criteria. Its sponsors include the chief bodies responsible for maintenance of academic standards in Britain: universities, colleges, national validating bodies, and public and professional examining boards, and also those, such as the British Council, with a particular concern for overseas students.

### *Process of BAC Accreditation*

The process of accreditation involves an initial application; the determination of eligibility for accreditation, including a preliminary visit by an inspector; and a full institutional inspection followed by a decision on accreditation by the Accreditation and Recognition Committee of the BAC. Accreditation is conditional upon re-inspection within five years.

During this period, each accredited institution is required to produce an annual report on its activities in a manner prescribed by the BAC and is visited by a BAC reporting inspector. The BAC reserves the right, however, to review the accreditation of an institution at any time if reasonable grounds exist.

Institutions seeking BAC accreditation must satisfy the BAC under all the following:

1. accommodation and learning resources;
2. administration and staffing;
3. quality control, including the effectiveness of the monitoring experiences of students in joining and pursuing the programmes provided;
4. welfare arrangements, including career advice and counselling where appropriate;
5. teaching and learning which involves an assessment of the professional competence of academic staff.

The BAC enquires into the legal and financial viability of institutions. Discussions have also been held with Home Office to ensure that the criteria used by the BAC are consistent with those required by the Home Office of *bona fide* institutions enrolling overseas students.

The BAC has worked closely with two other accrediting bodies to try and present a clearer picture of accreditation in the independent sector. These bodies are the Open and Distance Learning Quality Council (ODLQC) and the British Council's English Language Recognition Scheme for English Language Schools. Accreditation by these three accrediting bodies has been welcomed by the Department for Education and Employment as the only public guarantee of standards in institutions in the independent sector of further and higher education.

Independent or private colleges of higher education do not legally have to apply to the BAC for accreditation because this is voluntary. As these colleges are not funded by the Secretary of State for Education and students do not receive Local Education Authority (LEA) awards they have no statutory requirements to meet.

There are only some ten colleges of higher education on the BAC list and just over thirty five Business and Professional Education establish-



ments. There are many more private colleges in the UK that are not accredited but it is difficult to establish an idea of how many. (See Appendix 12 for the *BAC Current List of Higher Education Courses 1995-96*).

As BAC accreditation is not a statutory requirement knowledge of the non-official HE sector in the UK is said to be relatively limited. The HE institutions or programmes within establishments which the BAC does know about come under a number of headings moving steadily towards less clear definitions of what actually counts as higher education. They are:

1. *Establishments offering full degree programmes*: section 214 of the Education Reform Act, 1988 effectively restricted degree awarding power of UK degree to British HEIs and the Council for National Academic Awards whose role is now taken by the Open University Validation Services.

At least two listed independent establishments, Buckingham and the Royal Agricultural College, Cirencester, have now permitted to award their own degrees. Richmond College, an American University in London was “designated” by the Department for Education and Employment (DFEE).

A number of non-official higher education establishments have sought BAC accreditation, but it is awarded on an institutional basis and is not a validation of the actual qualifications or courses. In every case, these establishments are said to be dependent on students from overseas and have mainly a commercial motive in seeking BAC accreditation particularly as membership of the Educational Counselling Service (ECS) of the British Council is only available to them if they are accredited.

There is an emerging pattern of universities in the official higher education sector forming partnerships with single or limited discipline non-official higher education establishments:

I would speculate that either they are unlikely to attract large numbers of overseas students to their home campus or possibly they do not want to unbalance the nature of their student population by having popular departments swamped by overseas students (letter from Robin Laidlaw, Head of the BAC, March 1997).

Examples of this would include Holborn College (University of Wolverhampton Law degrees), the School of Finance and Management (University of Lincolnshire and Humberside Business and Finance degrees) or Greenwich College (University of Hull DMS and MBA programmes). These programmes are overwhelmingly taken by non-EU students, who would be required to pay full tuition fees, regardless of where they studied. On the other hand, the European Business School, which draws its students almost exclusively from European Union countries has received Open University Validation.

The British Accreditation Council (BAC) note the other major element in the provision of full degree programmes within the UK is the existence of American universities. In some cases these are simply satellites of US-based HE institutions, catering primarily for Americans taking a study abroad programme, but in others they are fully UK-based offering full US degrees – the American College in London and Schiller University, London are good examples. Richmond College is the only one to receive designated status to offer UK degrees. While these institutions attract a good proportion of American students, the majority are non-American and non-UK. Some UK institutions also offer American degrees as part of their programmes.

2. *Specialist Dance and Drama Schools*, some of which offer validated degrees.

3. *Support for degree programmes*: several institutions offer tutorial support for distance learning MBA programmes (particularly Heriot Watt and Leicester MBAs).

4. *Institutions offering non-degree HE qualifications*: There are two good examples of BAC’s accredited college courses which are available uniquely within their provision but are validated by a UK university: West Dean in Chichester which offers diplomas linked to conservation and restoration which are validated by the University of Brighton and the College of Petroleum and Energy Studies in Oxford whose Diplomas are validated by the Oxford Delegacy (shortly by UCLES). This category would also include the sub-degree levels such as BTEC HNDs.



5. *Qualifications which are best considered HE*: the simplest of these are the qualifications awarded by the Chartered Institutes (for example, insurance and banking) which at the higher levels require A level or degree qualifications as an entry requirement. The banking qualifications are now being accepted by the University of Manchester's Institute of Science and Technology (UMIST) which will award Master's degrees at what used to be the Advanced Diploma level. The status of qualifications awarded by, for instance, the Institute of Commercial Management, the Association of Business Executives or the Association of Computer Professionals is unclear but there is evidence that some universities accept the Advanced Diplomas as acceptable entry requirements for postgraduate work.

There are also advanced diplomas which make claims to being the equivalent of the first year of a first degree course. There are also Foundation and Access programmes which are being increasingly described as Year Zero of a four year degree course rather than an A level alternative.

There is large provision of training in teaching English as a Foreign Language which spreads across both the non-official and official sectors, as well as training of teachers in the Steiner or Montessori methods, which is primarily undertaken in the non-official sector (the University of Plymouth incorporates Steiner methodology into its Post Graduate Certificate in Education (PGCE) programme in parallel with the training at Emerson College which is independent).

The British Accreditation Council (BAC) say it is difficult to gather hard data on the extent of the non-official higher education (NOHE) market but believe it is growing as universities in the official sector see the attractions of a commercial collaborative partner. For example an established independent provider of satellite programmes, the International Management Centre, Buckingham is now able to award University of Surrey MBAs in Malaysia.

#### *Home Office Requirements and Immigration Control for Overseas Students*

The UK operates a system of on-entry immigration control. This means that students are required to satisfy immigration officers on arrival in the

UK that they meet the Immigration Rules before they will be admitted. Some international students from certain countries will need an entry visa and all other students will need entry clearance. Entry clearance take the form of entry certificates for Commonwealth citizens (which are stamped in the passport) and letters of consent for others (which are formal letters issued by an entry clearance officer) for students to show to an immigration officer on arrival in the UK.

To qualify for a student visa or entry clearance, students need to satisfy the entry clearance officer that they meet the full requirements of the Immigration Rules (HC 395) relating to students. The requirements are the following:

1. that students have been accepted for a course of study at a university or a *bona fide* education institution which maintains satisfactory records of enrolment and attendance;
2. that students will be occupied for the whole or most of their time in study (including not less than fifteen hours a week in organized week day study);
3. that students can support themselves and dependants they may have, without working or recourse to public funds which include costs of tuition, accommodation and maintenance;
4. that students qualifications are adequate for the course they intend to follow;
5. that students intend to leave the UK when they have completed their studies unless an extension to stay for further studies has been applied for.

The Home Office takes steps to establish that the institution has the resources and facilities which it claims to have and that there are proper systems of enrolment and attendance monitoring. The Immigration Department accordingly keeps records about private education establishments and may make unannounced visits to them; there is, however, no system of regular inspection.

Part-time or vacation work can be undertaken with the consent of the Department of Education and Employment and overseas student need to apply to their local Job Centre for permission. This will apply whether the work is paid or unpaid. The Job Centre make a decision based on



DFEE regulations and permission is not automatically granted. This provision is not designed to enable a student to meet the accommodation and maintenance requirement of the Immigration Rules (HC 395).

### *Registering with the Police*

UK immigration officers stamp student passports to show how long they can remain and whether there are any restrictions attached to their stay. Students may also be required to register with the police in the area they intend to live. If students are from the EU or Commonwealth, or intend to stay less than six months, students do not have to register with the police.

The Home Office make it clear that it is not possible to transfer to a student visa from a visitor visa. Students who also move continuously from course to course and appear to have no intention of ending their studies may be refused an extension of their stay. The United Kingdom Council for Overseas Students Affairs (UKCOSA) can be contacted for immigration advice and other matters relating to student welfare. Guidance notes are provided to overseas students free of charge.

### *The British Council*

The British Council runs an accreditation scheme for the inspection and accreditation of courses in English as a Foreign Language (EFL) in Britain. A new scheme, *English in Britain: Accreditation*, replaces the former Recognition and Validation schemes and brings together private and state sectors within a single and stronger accreditation scheme.

Run as a joint partnership with the ARELS (Association of Recognised English Language Services) and BASELT (British Association in State English Language Teaching), the scheme aims to reduce the fragmentation of the British ELT provision. It will be more effectively promoted through the British Council's network of overseas offices.

Under the terms of the scheme, institutions are inspected every five years in the areas of management and administration, premises, resources, professional qualifications, academic management teaching and welfare. The scheme also includes a system of random spot checking. The management and policy of the scheme is conducted by an independent

board while a separate committee reviews inspectors' reports from both state and private sector institutions. Some eighty percent of recognised language schools are also members of ARELS which insists on British Council recognition as a criterion for their membership. In addition, all members, of which there are nearly two hundred, are required to abide by the Association's Code of Practice and Regulations.

Established in 1960, ARELS exists to raise the high standards of its members even further through conferences, training courses and publications. The association also represents the interests of members and students to government bodies and promotes the teaching of English in Britain at home and overseas. Concerned by the increase in misleading advertising claims about the validity of TEFL/TESOL qualifications offered by some organizations, ARELS initiated a campaign to raise public awareness of what constitutes a good quality TEFL/TESOL course. The campaign is supported by all the main ELT linked bodies in the UK. Validated colleges are BASELT members. The Council works closely with both associations in the development of the scheme.

### *Education Counselling Service (ECS) of the British Council*

The ECS and the former Education Promotion Service (EPS) were set up specifically to promote British higher and further education overseas. The EPS and ECS were merged in 1991. The ECS is jointly funded by the British Council and the annual subscriptions of the one hundred and seventy or so educational institutions that have joined. At present ECS units operate in ten countries: Brunei, Cyprus, Hong Kong, Indonesia, Japan, Korea, Malaysia, Pakistan, Singapore and Turkey. Membership of ECS is open to UK universities and only to institutions in the independent sector that have been accredited by the BAC.

The British Council also has an Educational Counselling Service (ECS) available to overseas students and advice is provided free of charge. The British Council provide information on institutions only and do not comment on the quality of education provided. Memberships fees for the ECS are based on the numbers of students enrolled at institutions.



*Gabbitas, Truman and Thring Educational Trust*

This was formed in 1987 by the amalgamation of two educational agencies, Gabbitas Thring (founded 1873) and Truman and Knightly (1901). It is the largest educational consultancy in the UK and offers advice to parents and students who are selecting independent schools and colleges. The Trust publish a guide listing the wide range of opportunities available in independent sector education in the UK.

*Open and Distance Learning Quality Council (formerly Council for the Accreditation of Correspondence Colleges)*

The ODLQC was established in 1969 as an independent body with the co-operation of the Department of Education. The Council, which is non-profit making, is constituted as a Company Limited by Guarantee, and recognised as a Registered Charity, and is the only organization in the United Kingdom recognised as responsible for the award of the Accreditation to Correspondence Colleges.

*Aims and Objectives*

ODLQC is established for the public benefit to promote education and in particular to raise standards of tuition, education or training carried out wholly or in part by post. It does this by awarding, where appropriate, the status of accreditation in recognition that the activities of a particular college conform to such standards.

*Criteria*

Institutions seeking ODLQC accreditation must satisfy ODLQC under all the following:

1. overall organization, including legal and financial viability;
2. educational policy;
3. publicity and recruitment including enrolment procedures and fee arrangements;
4. educational materials;
5. educational staff and tuition;

6. accommodation, equipment and general facilities;
7. procedures for establishing and maintaining quality standards.

The accreditation process is carried out by panels of independent and well-equipped Assessors appointed by the Council. All are specialists in their own fields.

*Procedures*

The process of accreditation involves an initial application; a preliminary visit by the Chief Assessor and/or the Secretary to determine eligibility for accreditation; a full inspection of the institution; followed by a Report to Council by the Chief Assessor. A decision on accreditation is taken by the Council. Re-accreditation normally takes place every five years but the ODLQC reserves the right to review the accreditation of an institution at any time if reasonable grounds exists. Nearly ten colleges offer open and distance higher education, for example, National Extension College, Cambridge. (See Appendix 14 for the *ODLQC Higher Education List (1996-97)*).

*The Conference for Independent Further Education (CIFE)*

CIFE was founded in 1973 to promote strict adherence by independent sixth form and tutorial colleges to the highest standards of academic and professional integrity. All member colleges must be accredited by the BAC, or optionally and instead by the Independent Schools Joint Council (ISJC) if they are registered by the Department for Education and Employment as schools. Candidate membership is available for up to three years for colleges seeking BAC or ISJC accreditation within that period for colleges which otherwise satisfy CIFE's own exacting membership criteria. All colleges must also abide by stringent codes of conduct and practice, the character and presentation of their published examination results are subject to regulation and the accuracy of information must be validated by BAC as academic auditor to CIFE. Full members are subject to reinspection by their accrediting bodies. There are over thirty colleges in full or candidate membership of the CIFE, spread throughout England but with concentrations in London, Cambridge and Oxford.



CIFE colleges offer a wide range of GCSE and A and A/S level courses. Additionally some CIFE colleges offer English language tuition for students from overseas and degree level tuition.

#### *Council for the Accreditation of Training and Educational Centres*

The Council carries out assessments and inspections of schools, colleges and training centres. In addition to assessing the organization as a unit, assessment is made of course content, teaching, leisure and study amenities, and administrative support. In the case of training centres, assessment is made of individual styles of teaching, training background and experience. Inspections are carried out annually, and the Council retains the right to visit accredited centres or those seeking accreditation without prior appointment or notification.

#### *Regulation Relating to Assessment and Accreditation*

Assessments are carried out under the following headings: administration and staff; course contents and quality control. Successful candidates are awarded the Certificate of Efficiency and are enrolled on the register of recognised and accrediting teaching/training organizations. The accreditation programme is an extensive examination of objectives, experience, efficiency and dedication of training centres and their staff. The unique feature of the assessment programme is its flexibility. Centres are initially requested to forward a statement of their own objectives and teaching/training philosophy, together with copies of promotional and other literature normally sent to applicants who apply for information on courses. Centres are then inspected in order to establish if, and to what extent, the practical application of their programmes are consistent with information forwarded to prospective students. The assessment system enables centres to examine and, if necessary, improve their syllabus and administration procedures in order to comply with the assessment standards, and also ultimately to justify and fulfil claims and promises made to potential applicants for courses.

#### *International Degree Validation Council*

This Council forms part of the assessment and accreditation organization. The awards of degrees by universities are examined and, where appropriate, validated. These procedures apply particularly in relation to universities which have established branches in countries other than their main or principal campus.

The validation programme results in the acquisition of valuable information concerning the entry requirements and other data relating to degree programmes, and this information is available through the Advisory Service.

#### *Vigilance in the UK*

Other agencies and watchdogs in the UK have however been vigilant when non-official establishments appear and rapidly disappear again. The Advertising Standards Agency and Trading Standards Agency deal with many complaints. Admissions tutors at official institutions get involved in 'detective' work everyday verifying qualifications of students and academics. Consumer watchdogs such as the British Broadcasting Corporation's (BBC) Roger Cook and Esther Rantzen have also highlighted non-official establishments operating in the UK through television exposés. All this is very encouraging in terms of continued international goodwill and interchange.

#### *Conclusion*

Thus, it will be seen that whilst quality assurance in the UK is strong in official higher education, the regulation of and knowledge and availability of information about NOHE establishments are patchy because there are no statutory requirements for NOHE establishments to meet. Controls exist, however, on overseas students seeking entry visas to pursue non-official courses which, in effect, challenge the competences of the receiving institutions.



CHAPTER TEN:  
 RECOGNITION OF OVERSEAS QUALIFICATIONS  
 AND PROFESSIONAL QUALIFICATIONS

This chapter looks at the work of ECCTIS 2000 (the NARIC for the UK) which checks the equivalence of overseas qualifications. Also examined is the recognition of EU professional qualifications by the Department of Trade and Industry (DTI).

*UK National Academic Recognition Information Center (UK-NARIC) – Educational Counselling and Credit Transfer Information Service (ECCTIS) 2000*

The Educational Counselling and Credit Transfer Information Service (ECCTIS) has been managed on behalf of the Department for Education and Employment since 1990 and has operated primarily as a courses database which is used widely by potential and present students choosing higher education courses. ECCTIS 2000 is a private consortium which comprises a partnership of the following private and public sector organizations: Careers Research and Advisory Centre (CRAC), Hobsons Publishing Plc (a *Daily Mail* and General Trust Company), the Times Supplement Ltd (a News International Company) and the Universities and Colleges Admissions Service (UCAS). Its aim is to support well-informed participation in further and higher education.

ECCTIS 2000 was recently awarded the contract by the Department for Education and Employment to manage the UK NARIC for three years from April 1997, the previous managers of this being the British Council. ECCTIS takes inquiries from individual international students by telephone, facsimile, electronic mail and letter and similarly from universities and colleges who are admitting international students. ECCTIS 2000 is based on a library of information which has been transferred from the British Council and the ECCTIS database which includes information on a range of entry qualifications for specific courses. The library consists of various national/international directories and individual country files with some case histories. This unit will develop information on equivalence of international and UK qualifications from the base supplied by

the British Council. ECCTIS have undertaken to publish electronic information on equivalence to students and institutions using ECCTIS' existing structures for dissemination via CD-ROM and the World Wide Web (WWW) in the Summer of 1997.

Offering information on non-official higher education is a challenging task for ECCTIS since the majority of National Academic Recognition Information Centre (NARIC) activity is presently in the official sector. Even though ECCTIS has been operating NARIC for only a short time inquiries relating to non-official higher education (NOHE) comparability have been responded to. It is the remit of the NARIC to offer non-binding information to give an indication of comparability but without committing any organization to admitting individual students.

*ECCTIS and Credit Transfer*

ECCTIS also has the responsibility for collecting and disseminating information on credit transfer opportunities and these are included on CD-ROM at the institutional level, whilst the courses database contains details of option and modules within combined and modular courses. The absence of a common framework for credit transfer in the UK poses great challenges in collecting and disseminating detailed information on credit transfer opportunities at the most detailed level. ECCTIS continues for example to refer to the former Council for National Academic Awards Credit Accumulation Transfer System (CATS) points system, a version of which is still used by many higher education institutions.

ECCTIS is involved in a project with the Higher Education Quality Council and the Open University for publication of a directory of the most common credit ratings for off campus learning opportunities in the United Kingdom. This directory will be published in both hard copy and electronic form later in 1997.

*Department of Trade and Industry (DTI) and Mutual Recognition of Professional Qualifications*

The Department of Trade and Industry (DTI) has a role in respect of franchising of courses between Member states of the European Union.



Directive 89/48/EEC sets out the mechanism for the General System of mutual recognition of professional qualifications within the European Union. A professional qualification's eligibility to be assessed in accordance with the provision of Directive 89/48/EEC depends on its conformity with the criteria set out in Article 1(a) of the Directive which refers to: a post-secondary course of at least three years' duration, or of an equivalent duration part-time, at a university or establishment of higher education or another establishment of a similar level.

This definition of 'post-secondary courses' does not, nor was intended to define 'an establishment of higher education,' which the European Commission considers to be the province of education authorities in individual Member States. But the identification of an establishment of higher education by a Member State is only unambiguously valid as long as the courses it runs are taught and examined on the soil of that Member State.

Questions of interpretation of the directive arise once an institution recognized by one Member State as an establishment of higher education offers awards on successful completion of courses taught in an institution under the jurisdiction of another Member State, and which is not recognised by that Member State as an establishment of higher education.

The DTI's role in respect of franchised courses is to try to ensure that courses which have been clearly and properly designated as higher education in terms of the Directive are recognised as such and the Department of Trade and Industry (DTI) liaises with the HEQC.

#### *European Network of National Information Centres on Academic Recognition and Mobility (ENIC Network)*

The Council of Europe and UNESCO (Europe Region) have formed a new joint convention on academic recognition and network of national information centres known as the ENIC Network. The Council of Europe was founded in 1949 to achieve greater unity between European parliamentary democracies. It is the oldest of the European political institutions and has thirty nine member states including fifteen of the European Union and has its headquarters in Strasbourg, France.

The 1954 European Cultural Convention provides the framework for intergovernmental co-operation on culture, education, sport and youth. Forty four states are currently party to the convention. The main activities in the field of higher education cover:

- (a) access to higher education in Europe, emphasizing the articulation between secondary and higher education; admission procedures and equal opportunities for under-represented groups and foreign students;
- (b) legislative reform in higher education in central and eastern Europe, through advisory missions, multilateral workshops, study visits and publications;
- (c) encouragement of mobility of students especially through the new joint Council of Europe and UNESCO (Europe Region) and the ENIC network.

#### *UNESCO*

The United Nations Educational, Scientific and Cultural Organization (UNESCO) was created in 1945 "to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for human rights and fundamental freedoms which are affirmed for the people of the world, without distinction of race, sex, language or religion, by Charter of the United Nations." It has currently one hundred and eighty one member states, out of which forty nine belong to the Europe Region.

The Convention on the Recognition of Studies, Diplomas and Degrees (1979) concerning Higher Education in the States belonging to the Europe Region is one of six regional conventions on academic recognition adopted under the aegis of the UNESCO. It has presently forty one ratifying states, each with the right to nominate an ENIC centre. The current NARIC for the UK is ECCTIS 2000.

#### *ENICs*

ENICs are National Information Centres on academic recognition and



mobility set up by national authorities. They generally provide information:

- (a) the recognition of foreign diplomas, degrees and other qualifications;
- (b) education systems in both foreign countries and ENIC's own country;
- (c) opportunities for studying abroad, including information on loans and scholarships as well as practical questions related to mobility and equivalence.

### Conclusion

ECCTIS 2000 offer advice to international students who wish to study in the official sector as this is their remit. However, they also answer, to the best of their ability questions, on non-official education. Information on non-official education is difficult to obtain because there is no central monitoring body.

## CHAPTER ELEVEN:

### NON-NATIONAL UNIVERSITY MONITORING IN THE UK

This chapter examines non-national universities in the United Kingdom which form part of NOHE and provide higher education to mainly overseas students. These institutions are not regulated by the UK government but often regionally accredited in the home country of the university.

#### *American Universities*

Universities from other countries, but especially the USA, have branch campuses in the UK. They may be subject to US based evaluation and accreditation. In most countries, the establishment and maintenance of educational standards are the responsibility of central government. In the United States recognition is granted primarily through nongovernmental professional associations. The institutional accrediting organizations recognized by the Council on Post-secondary Accreditation (COPA)

which will soon change to CHEA are listed in Appendix 15 *Key to Institutional Accrediting Bodies*.

#### *The US-UK Fulbright Commission*

The Fulbright Commission's Educational Advisory Service (EAS) provides information and resources for applying to an American universities and some travel scholarships. It also provides information on American university branch campuses in the UK. The Fulbright Commission makes it clear that while they list some of these institutions and provide information on them, the inclusion of institutions on the Fulbright Commission list does not imply approval or recommendation. The American colleges on the Fulbright list are regionally accredited or are the overseas branches of colleges which are regionally accredited in the US. Not all offer the complete four years of a Bachelor's degree and the subjects vary from general liberal arts to business related subjects. Louise Cook, Director of the Educational Advisory Service at the Fulbright Commission in London, is concerned there is no unified policy on the message being given out about US institutions. The Fulbright Commission has liaised with the British Council to provide a unified policy on guidance but there are many others who offer advice on institutions such as other US Higher Education Centres and US embassies (see Appendix 16).

*Fulbright Commission's American Colleges in the UK and Appendix 17 Postgraduate American Programmes in the Britain).*

The Fulbright Commission's Educational Advisory Service receives most inquiries about US institutions and qualifications from other US institutions and UK institutions. The second highest number of inquiries are third country inquiries from students who are not from the US or UK. It is the Fulbright's Commission's impression that foreign students know very little about US accreditation. The Fulbright Commission provide a publication produced by the National Liaison Commission on Foreign Students Admissions, an organization of higher education associations composed of AACRO, CEEB, CGS, IIE and NAFSA *Bogus Institutions in the US: How to Avoid Schools and Fake Degrees* (see Appendix 18).



Some institutions that are not on the Fulbright list but which are listed by Brigitte Birke-Deixheimer, Cultural Affairs Specialist, United States Information Service (USIS) Bonn, OSEAS\*EUROPE include the following: Huron University London, New England College, Arundel, West Sussex and Schiller University, London. (See Appendix 19 *OSEAS\*EUROPE American Type Programs in Western Europe*).

#### *OSEAS\*EUROPE issues a caveat with its list too*

The information is based on information received and does not attempt to be complete. In most cases the text was provided by the institutions themselves. Some of the campuses listed do not have parent campuses in the US and are not regionally accredited. Regional accreditation is almost always one of the requirements with regard to the recognition of degrees. Students should make certain in their home countries whether studies at an institution in this list will be recognized. Students who later wish to transfer from European based programs to degree programs in the US should check in advance which universities regularly accept such credit before embarking on the course.

Others colleges that a lot of questions have been raised are Knightsbridge University, Somerset University (last believed to be operating from Louisiana in 1991), United States International University, The American University in London (which has no accreditation) and Newbold College, Berkshire whose prospectus claims that it has links with Andrews University, Michigan since 1983 and has some degree programmes validated by the Open University Validation Service. The OUVS does not validate the institution but only certain degree programmes.

If, at a later date, students wish to transfer from one of the following institutions to another US college/university, the Fulbright Commission suggests they contact the second institution to investigate whether credits from the first college are acceptable. Universities and colleges are free to make their own decision when granting credit for courses taken at other institutions.

There is no rule concerning the recognition of US degrees and evaluation is ultimately left to the UK employer or academic institution. When

students contemplate study through an unaccredited American institution, they are advised to check with academic institutions as to the recognition of such a degree. It is the Fulbright's Commission understanding that many British educational institutions and professional bodies may not consider graduates of an unaccredited American institution. The process of accreditation is a voluntary one.

#### *Advertising of Non-National Universities*

One concern is the advertising of US programmes in the UK. Louise Cook, Director of the Fulbright Commission's Educational Advisory Service has said:

Institutions that one might wish to class as bogus advertise widely in the national press, which makes it difficult to stop naive students enrolling without any advice from organizations such as Fulbright. Even if there was some requirement to state accreditation status in any advertising or promotional materials, this could still be misleading as institutions may have some kind of accreditation, just not the 'right' kind, and students are often unaware of what the 'right' kind of accreditation is.

Mike Reddin, General Course Tutor for Visiting Students, London School of Economics (LSE) shares the Fulbright Commission's concern:

My own concerns have been that LSE are so frequently cited as co-respondents and don't even know! I had a long battle with the Peterson's Guides in 1996 to convince them that they couldn't just accept at face value the programme notices they posted — they had twelve programmes citing LSE as a host institution in 1996 — only two of which could even remotely claim any association. LSE have now insisted that all of our students come by direct enrolment in hoping to purge our own territory of the 'middle men' intermediaries. I'm uncertain of what the impact of all this has on views of UK higher education — I can't assume it does us any good — but it may be that the parties are so clearly seen to be 'outsiders' that they're dismissed as such and the UK don't get blamed.

#### *Association of American Study Abroad Programmes UK (AASAP-UK)*

This is a voluntary association that provides advice on all types of US



programmes in the US (for example study abroad, resident director programmes, US universities in the UK) as well as information on qualifications of academics. The AASAP-UK are concerned that once bogus establishments start operating there is no central body that can deal with complaints. This was the case when Islington College advertised in October 1995 (see Appendix 20 'Bogus University Traced to Flat in East London: Islington College of London,' The Times, 5 October 1995).

#### *British Universities Transatlantic Exchange Association (BUTEX)*

This is an association providing information and advice for all those involved in Anglo-US higher educational programmes of any kind. Butnews provided via e-mail keeps all BUTEX members informed.

#### *Conclusion*

Some non-official provision in the UK is, therefore, provided by reputable universities based outside the UK or by private institutions who are validated by UK universities. The problem arises for institutions which have no reputable basis for their validation outside themselves. They may be maintained for reasons ranging from straight commercial motives to the less reputable selling of weak qualifications.

## CHAPTER TWELVE: REASONS FOR GROWTH OF NON-OFFICIAL ESTABLISHMENTS

The reasons for the growth of non-official higher education establishments in the UK are not easy to analyse with any certainty. On the face of it, the UK can satisfy many of the needs of many overseas students. All EU undergraduates may enter UK universities, which vary widely in their entry requirements, on payment of the home students' level of tuition fees. Graduate students from EU countries find places at the subsidized fee levels. The variety of courses on offer is enormous, as is, above a certain minimum standard, the range of admission requirements. It

follows that students entering non-official higher education establishments will do so for the following reasons:

- (a) *non-EU students and qualifications* – if they have not reached the standards required for admission to an official institution. Perhaps their overseas qualifications would not be recognised by admission tutors at institutions of higher education as having equivalence to British qualifications and these students would have to spend even longer in the UK taking a bridging course. Other students may not have an undergraduate qualification and may wish to miss a step by gaining a postgraduate degree from a non-official institution;
- (b) *non-EU Students and language proficiency* – some overseas students may not have met the required proficiency in English language and non-official institutions would be less stringent;
- (c) *specialist courses* – they may seek a specialist course rather than a full degree course;
- (d) *tuition fees* – the tuition fees charged by UK universities for non-EU students are higher. This has caused many overseas students to look for shorter and less expensive courses. It has also encouraged students to go to other English-speaking countries where bogus institutions are more prevalent, for example, the USA;
- (e) *English as the language of instruction* – they are concerned to receive a qualification in a setting offering contact with the English language;
- (f) *non-EU students and study visas* – student visas can be obtained for registering on a course of study in the UK. For many overseas students this is desirable because if they have a study visa for a substantial period of time, permanent residency status can be obtained. Many students who study abroad never intend to return to their homeland. High numbers remaining come from China and India;
- (g) *bogus qualifications* – in some cases, they are seeking what is in effect a bogus qualification requiring the payment of a fee without academic effort;
- (h) *misleading names* – students are attracted by the usage of names



resembling *bona fide* institutions. Government and other public agencies have fewer resources with which to check qualifications;

- (i) *development of the external degree movement, correspondence colleges and distance learning* – until the mid-1960s reputable external degrees were available only from the University of London. All other degrees required an extensive residency period on the campus of a university or college. Non-official higher education (NOHE) is to some extent part of the wide spread development of these forms of learning and qualification;
- (j) *obtaining non-traditional degrees on the basis of life learning* – many people who have never attended university but have experience such as managing a business, can use this life learning to translate into credits for a degree, within the official sector as through National Vocational Qualifications (NVQ) arrangements. It is thus plausible for non-official establishments to follow suit.

#### *Advantages to Operators*

The evidence of doubtful practices, undertaken for personal gain, in NOHE, is not easy to discover and collate. We noted that various bodies have expressed disgust about some practices that have come to notice. Running unofficial colleges can be a lucrative business. In the 1970s an American was involved in running the London Institute of Applied Research (LIAR), from which he grossed a substantial amount of money.

In 1984 a Professor Swann-Grimaldi using an accommodation address in London (the highly respected Royal Commonwealth Society, Northumberland Ave), is believed to have made £20,000 from his “Southern Eastern University” in the space of a few weeks (BAs for £250, MAs for £360, PhDs for £250 in any subject based on life experience).

The degrees were advertised in a tourist London listings magazine *What's On and Where to Go*. There is a *bona fide* Southeastern University, Washington, D.C. USA.

Charles Brearly (alias Archbishop of the Old Catholic Church of England) established St. Andrew's Correspondence in 1950s. His other

business interests included Ministerial Training College and National Ecclesiastical University (Sheffield). Sidney Lawrence was also chancellor of the Ministerial Training College which was affiliated with the London College of Applied Science.

These unofficial theological colleges are more widespread in the U.S. because of the First Amendment to the U.S. Constitution which states “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.” There is also tax exemption from the US Internal Revenue Service (IRS) if income is donated to churches.

Bruce Copen in the 1950s established the Universal Correspondence College, Great Missenden, Buckinghamshire. In the early 1960s he started Brantbridge Forest School, Balcombe, Sussex and the Sussex College of Technology. He also runs the University of the Science of Man.

Raymond Young ran advertisements for degrees from St. Giles University College and a complaint was upheld by the Advertising Standards Agency. After this he set up Somerset University and advertised in reputable UK Sunday newspapers and the *London Evening Standard*. Advertisements also appeared in overseas newspapers such as *The Australian* and the *International Herald Tribune*. As the term “university” is protected under the Companies Act 1981, the Department of Trade and the DES objected to this name and it was changed to Universitas Somerset. Another complaint was issued against BA degrees at Somerset University because “bachelors” is a protected term. Future advertisements were amended accordingly. MPs have been trying to tighten up the law further.

L.G. Tostevin is a UK-based agent for American Kensington University and Bedford University, Phoenix, Arizona (which is a U.S. state which imposes no restrictions on the establishment of universities).

*Some recent examples of doubtful non-official establishments in the UK are*

1. *Warnborough College, Oxford* – in 1995 fifteen students left this college because they had been led to believe they would be attending Oxford University. The college was actually registered in Canada.
2. *Islington College* – (October 1995) launched a recruitment drive



across twenty American universities. Suspicions were aroused by some US admissions officers who sent out warnings to other interested parties across the internet not to confuse this college with the *bona fide* further education City and Islington College. Islington College was traced to a flat in East London.

*Fake degree certificates* – in all subjects were advertised over the internet for £70. Cheques were to be made payable to a Mr. P.L. Quinn in Liverpool. The police are investigating. One web site service provider disabled Quinn's web site.

Anyone using the certificates to get a university place or job could be charged by the police with pecuniary advantage by deception. The DFEE said the advert might breach the *Education Reform Act, 1988* but is seeking more details (see Appendix 21 'Degrees for Sale on the Internet,' THES, 28 February 1997).

#### *Factors helping the growth of non-official establishments*

There is evidence of increased sophistication on the part of some operators. Fewer bodies have been selling degrees by return of post; some semblance of academic work is required. Advertising is conducted not only in newspapers and magazines but also on the internet, which is more difficult to police because of issues of sovereignty. Advertising in less developed countries has now extended to affluent developed countries. This is because of the growth of the MBA (Masters in Business Administration) which attract business managers and travellers in developed countries.

#### *Conclusion*

There are many possible reasons for the existence of non-official establishments in the UK but it is difficult to establish with any certainty which reasons are more important than others. However demand for them reflects an international student market, to the extent of over 30,000 students recorded in the London Institute of Education study.

## CHAPTER THIRTEEN: IMPACTS OF NON-OFFICIAL ESTABLISHMENTS ON UK HIGHER EDUCATION AND ITS INTERNATIONAL REPUTATION

### *Impact on Home Students*

Non-official higher education establishments have been set-up mainly by overseas operators to take advantage of the international reputation of UK education overseas, and the impact on home students is negligible. As we have noted there is no apparent reason for EU students to study outside the official system because fees are subsidized. The same is true for UK students. The only UK students who could be misled into taking those courses which are of uncertain value are perhaps mature students who are not aware of the official admissions system (UCAS). In recent years business managers have been attracted to MBA programmes, and many who do not have an undergraduate degree may be attracted by the status and financial rewards that perhaps a non-recognised MBA could offer.

### *Overseas students being misled*

Some students may be aware that the degrees they obtain are non-official but some overseas students are misled by usage of names of establishments which sound authentic and bear spurious relationships to official institutions. This may have been aggravated by the name changes associated with the ending of the binary system. Publicity can be misleading particularly if it is printed in reputable broadsheet newspapers. Operators of non-official institutions take advantage of the fact that overseas students may have limited knowledge of the UK higher education system in terms of names, geographical location, length of educational qualifications, cost of tuition fees and the like. After investing financially, overseas students later find that their qualifications are worthless and not recognised in their home country. The British Council and UKCOSA (the UK Council for International Education) work hard to make international students aware of these non-official establishments by publishing guidance notes widely available at British



council offices overseas. One example of a UKCOSA guidance note given in Appendix 22 is *Studying at a Private College in the UK*.

### Operators

Operators in this field are often foreign nationals operating in the UK taking advantage of the international reputation of the UK. The UK is not a large provider of non-official higher education (NOHE) and this is why the DFEE has had little interest in compiling lists of non-official sector establishments. However since the passing of the *Further and Higher Education Act, 1992* and growth of collaborative partnerships both *bona fide* and less reputable (see Appendix 23 'Crackdown on Foreign Trade in Degrees,' *The Guardian*, 18 December 1996), participation rates are likely to increase. British students are not the ones being misled. This is why the British Council has been most concerned with the reputation of United Kingdom higher education overseas.

### Problems which still need to be solved:

- (a) there is no DFEE list of non-recognised institutions in the UK;
- (b) UK private colleges are not required to seek accreditation;
- (c) many different UK departments and agencies are involved for example, DFEE, FCO, DTI, Home Office, CVCP, Privy Council, The British Council, UKCOSA, Trading Standards Agency and Advertising Standards Agency. There is no concerted and determined policy to tackle the issue by one particular body;
- (d) non-official establishments often operate from geographical locations different from those listed in advertisements which makes it difficult to track them down;
- (e) non-official establishments often trade under different names to remain within the law;
- (f) the Council of Europe list of non-recognised institutions remains confidential.

### Conclusion

It seems that is mainly international students who are misled by non-offi-

cial establishments in the UK. The operators in some cases are also from outside the UK taking advantage of the international reputation of UK higher education.

## CHAPTER FOURTEEN: CONCLUSIONS AND ISSUES

The UK experience of non-official higher education (NOHE) leads to reflection on two levels. First, there is the issue of why non-official higher education in the UK should exist at all and why its characteristics may be different from those in other countries within our study. The second set of issues are ethical and operational problems arising from the ways in which non-official higher education (NOHE) works in the UK.

On the first issue, we have noted that *prima facie* there is no good reason why students from many countries should seek non-official places in the United Kingdom. Courses in official higher education are prolific, generally of good quality, widely ranging in admission requirements as in substance, and free of tuition fees to all EU students or in the case of graduate studies reasonably priced at the home student level.

In the same section we have noted reasons, some arising from genuine needs to be satisfied, and other resulting from doubtful practice or lack of knowledge, why students from some overseas countries might seek places outside the listed institutions. The UK's high reputation, and the premium based on instruction in the English language, will also be inducements to seek a UK course, even if not of adequate standard.

This is a quite different situation from those countries where the official institutions are felt to be inadequate, or where only a small proportion of qualified applicants can gain entry.

The second set of issues concerns the regulation of the non-official higher education. Successive British governments have attempted to regulate non-official education institutions. They have protected the terms 'university' and 'degree' by law but have not attempted to identify and classify institutions and courses fully beyond the approved lists, except in the requirement placed on those seeking student visas. Nor do



ment provisions affect the ability of marginal institutions to  
 e names and status deliberately coined to mislead applicants.  
 e level of disquiet at the damage to Britain's educational  
 ation and to individual students remains high although providing  
 mechanisms would always prove to be difficult and expensive.

#### *ble future studies*

pilot study has necessarily produced fragmentary results and to  
 extent we feel we have come to the limits of existing knowledge  
 s more systematic empirical study is undertaken with students and  
 ations. Our evidence has come from printed sources and from  
 iews with some key informants in public bodies concerned with  
 E.

uture studies would need to extend the database but also engage in  
 ative studies.

xtension of the database would involve further investigation into:

- ) the range of NOHE offerings, by subject and level, and quali-  
 fications offered;
- ) the number of students in different courses and their age compo-  
 sition;
- ) the qualifications of staff;
- ) the fees charged;
- ) the national origins of students (and possibly of staff as well).

valuative studies would be conducted preferably by interviews and  
 bly by survey and would be aimed at establishing the motives of  
 ents attending courses in relation to the provision in their home  
 tries. Such a study would have to face considerable problems of  
 s and of sampling, but could be attempted.

he study could also encompass further evidence of the extent of  
 ation of NOHE by British authorities and by the authorities of the  
 e countries of students.

## APPENDICES

### NOTES ON APPENDICES

The following documents were referred to and can be provided by the  
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### APPENDICES LIST

#### APPENDIX 1

Higher Education Quality Council Committee on Degree Awarding  
 Powers (July 1996) *Criteria for the Award of Degree Awarding Powers and  
 Notes of Guidance for Institutions*

#### APPENDIX 2

Department for Education and Employment (1997) *The Education  
 (Recognised Bodies) Order* (The Stationery Office)

#### APPENDIX 3

Department for Education and Employment (1997) *The Education (Listed  
 Bodies) Order* (The Stationery Office)



## APPENDIX 4

Higher Education Quality Council Quality Audit Division (October 1995)  
*Code of Practice for Overseas Collaborative Provision in Higher Education*

## APPENDIX 5

Open University Validation Services Principles *Characterizing Institutional Approval*

## APPENDIX 6

Open University Validation Services *Guide to Information Needed from Institutions Seeking Accreditation to Offer OU Validated Awards*

## APPENDIX 7

Open University Validation Services *Guide to Programme Document*

## APPENDIX 8

Open University Validation Services (December 1996) *Approved Sponsored Establishments With Research Students*

## APPENDIX 9

Open University OUVS *Fees 1996/97*

## APPENDIX 10

Open University (9 April 1997) *Validated Courses and Codes*

## APPENDIX 11

Wain, Harriet (14 March 1997) V-Cs Want Law On Title Use (*THES*, 1271, p. 1)

## APPENDIX 12

British Accreditation Council (1996) *Current List of Accredited Institutions and Recognised Sectoral Bodies*

## APPENDIX 13

Open and Distance Learning Quality Council (1996-97) *Criteria for Accreditation and the Accreditation Process* (Extracts from the Accreditation Handbook)

## APPENDIX 14

Open and Distance Learning Quality Council (1996-97) *Courses Offered By Accredited Colleges*

## APPENDIX 15

Council of Post-Secondary Accreditation *Key to Institutional Accrediting Bodies*

## APPENDIX 16

Fulbright Commission Educational Advisory Service (February 1997)  
*American Colleges in the UK*

## APPENDIX 17

Fulbright Commission Educational Advisory Service (February 1997)  
*Postgraduate American Programmes in Britain*

## APPENDIX 18

National Liaison Commission on Foreign Student Admissions (NLC) (December 1988) *Bogus US Institutions: How to Avoid Fake Schools and Fake Degrees*

## APPENDIX 19

Birke-Deixheimer, Brigitte (1997) *American Type Programs in Western Europe* OSEAS\*EUROPE Virtual Educational Advising (USIS-Bonn)

## APPENDIX 20

Charter, David and O'Leary, John (1995) 'Bogus University Traced To



Flat in East London; Islington College of London' (*Times* 5 October 1995)

**APPENDIX 21**

Baty, Phil (1997) 'Degrees For Sale on the Internet' (*THES*, 28 February 1997, Vol. 1269, p. 1)

**APPENDIX 22**

United Kingdom Council for Overseas Students Association (UKCOSA) *Studying at a Private College in the UK (1995-96)*

**APPENDIX 23**

Macleod, Donald (1996) 'Crackdown On Foreign Trade in Degrees' (*The Guardian* 18 December, p. 9)