



## Joint Academic Stage Board

Recognition of Qualifying Law Degree (QLD) providers' collaborative arrangements with non-QLD providers

### Consultation

October 2007

#### Purpose of consultation

1. The purpose of this consultation is to obtain views from QLD providers on the way in which the Joint Academic Stage Board (the Board) should recognise QLD providers' collaborative arrangements with non-QLD providers (the non-QLD programme presenter).

#### Introduction

2. At a meeting of the Board in February 2003 it was agreed that a representative of the Board should be invited to attend the validation event and/or site visit of any collaborative arrangement in respect of a QLD. A Board representative should also be invited to participate in any review, renewal or revalidation event. The Board's policy on collaborative arrangements is attached at **Annex 1**.
3. Over the last 12 months, the professional bodies became aware of a number of actual and proposed collaborative arrangements between QLD providers and non-QLD programme presenters (primarily overseas institutions and predominantly based in Malaysia) which do not appear to comply with the Board's policy on collaborative arrangements, the QAA Code of Practice on collaborative provision or meet the QAA Benchmarks for Law.
4. To ensure the maintenance of standards, the quality of the student experience and the integrity of the awarding institutions' programmes, the Board decided that a site visit should be conducted by the professional bodies to a number of institutions in Malaysia.

5. Representatives of the Board conducted a number of inspection visits to institutions in Malaysia in April 2007. A report was produced for each institution inspected.
6. At its meeting on 7 June 2007, the Board reviewed the situation. It noted that the most common collaborative arrangement was where students would enrol as Year 1 students of the non-QLD programme presenter and would not then enrol with the awarding institution until Year 2 or 3. The student would then obtain an LLB of the awarding institution, which that institution would wish to be recognised as a qualifying law degree. A number of such arrangements have been recognised in the past by the Law Society (now the SRA) and the Bar Council (now the BSB) as qualifying law degrees.
7. The Board decided that further information should be sought from a number of the awarding institutions that had arrangements with the non-QLD programme presenters in Malaysia. A working party was established to consider their responses and the different forms of collaborative arrangements. The notes of the working party meeting are attached at **Annex 2**.

### **Working party findings and conclusions**

8. The working party has sought to set out principles which are broadly consistent with existing approved collaborative arrangements and can guide the approval process for the more diverse types of arrangement that are now coming forward. The working party considered that, in order to be clear about the level of involvement of the awarding institution with the non-QLD programme presenter, and to ensure the assessment process of the non-QLD programme presenter is equivalent to the awarding institution's own process, the awarding institution should be asked by the professional bodies to sign a statement at the beginning of its arrangement with the non-QLD programme presenter confirming that it will comply with a number of requirements.
9. The rationale for the working party's proposal was that the professional bodies need to be assured that all students were sufficiently competent in the foundations of legal knowledge, whatever route taken. Also, due to the variance of the requests for recognition of different arrangements being received, the professional bodies needed to act consistently and appropriately whilst recognising the good practice already in place.
10. An informal list of approved collaborative arrangements of which the professional bodies are aware is kept at the SRA. The working party decided that this list should be circulated with the consultation (**Annex 3**) to check its accuracy, as well as to provide illustrations. The working party also proposed that the list should be formalised and details of the collaborative arrangements included on the QLD lists on the professional bodies' websites from January 2008.

## Proposal

11. From September 2010, any QLD institution wishing to enter into or continue a collaborative arrangement with a non-QLD programme presenter will be required to sign a "Statement of Compliance with QLD requirements" at the beginning of the internal university validation or agreement process and then comply with the Board's policy on collaborative arrangements. A further Statement of Compliance will be required following any review, renewal or revalidation event.
12. In the Statement, the awarding institution would be asked to certify that they would comply with the following requirements concerning:
  - the involvement of the professional bodies in the internal validation event, the representatives of which would verify the quality of the staff and resources and that the course design complies with the Joint Announcement;
  - the involvement of an internal moderator from the awarding institution in relation to every subject assessed at whatever level the assessment takes place;
  - the appointment of an external examiner from a different QLD institution from Year 2;
  - the programme of study which must include 40 credits of foundation subjects at the awarding institution;
  - the assessment regulations of the non-QLD programme presenter which must be the same as the awarding institution;
  - the involvement of the professional bodies in subsequent periodic reviews.
13. The Board agreed in principle to the proposals at its meeting on 19 September 2007, subject to the views of QLD providers being sought.

## Timescale

14. The closing date for responses to the consultation will be **Friday, 21 December 2007**. An analysis of the responses will be presented to the Board at its meeting in February 2008.
15. If those responding to the consultation are broadly in favour of the proposal, it will be implemented for all new collaborative arrangements (in England and Wales or overseas) taking effect from September 2010.
16. Those QLD institutions wishing to enter into a collaborative arrangement from September 2008 or 2009 will be expected to comply with the Board's policy on collaborative arrangements in the normal way.

### **Consultation questions**

1. Is the signature of a “Statement of Compliance with QLD requirements” at the beginning of the internal university validation or agreement process an appropriate and effective mechanism to ensure that an arrangement meets JASB requirements for a QLD?
2. Do you consider that the arrangements, as outlined in paragraph 12, are fair and reasonable?
3. Is the proposed timescale for implementation of the proposal fair and reasonable?
4. Is there any potential adverse impact of the proposed arrangements for equality and diversity in the entry of EU nationals and residents to the English and Welsh legal professions?
5. Does the list in Annex 3 accurately record the collaborative arrangement(s) for your institution?

**The consultation ends on Friday, 21 December 2007.**

Please send your response to us by email or by post. For our email and postal addresses, please visit [www.sra.org.uk/contact-us](http://www.sra.org.uk/contact-us).