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Douglas is the former Chief Executive of the Quality Assurance Agency for Higher Education (UK). In that role oversaw the development of the Quality Evaluation of UK Transnational Education (TNE). He successfully built agency to agency collaborations in all the large destination countries for TNE, incorporating local agencies involvement into the evaluation of UK provision.

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Proposal

Title: Protecting the interests of students on transnational education programmes: the role of transparent quality assurance

Abstract

Transnational education (TNE, also cross-border higher education) is huge business globally, and is growing. The popularity of TNE has many dimensions: ‘receiving’ countries benefit from bringing established foreign institutions into their sector; students can study at prestigious institutions without the cost of travelling abroad; and ‘providing’ universities can extend their global reach and reputation, and yes, generate revenue.

But who guarantees the quality of the experience of students? Who checks that the education in the ‘receiving’ country is delivered to the same standard as that at the ‘home’ campus?

At the 2022 UNESCO World Higher Education Conference, calls were made for tougher regulation and standards to protect the interests of students on TNE programmes. But the sector already has tools: the OECD-UNESCO guidelines on cross-border higher education were adopted in 2005; the ESG (2015) apply to TNE; the European approach to quality assurance of joint programmes was adopted in 2015; and the QACHE toolkit was developed in 2016 through a European, Gulf and Asia-Pacific partnership. The challenge appears to be not a lack of tools but a lack of transparent implementation by most ‘sending’ countries.

The paper will explore issues around barriers to the implementation of current tools, whether new tools or regulation will tackle these issues, and make suggestions regarding the role of quality assurance agencies in protecting interests of students and the role of inter-agency cooperation in building trust in TNE. The paper will also discuss whether strengthened references to TNE (including that delivered outside the EHEA) could be considered in the revision of the ESG.

Introduction

Transnational education (TNE), also known as cross-border higher education (CBHE), is a huge business globally and is growing, in line with trends of internationalisation in higher education and globalisation in society more generally. While this form of higher education has many benefits, for students, institutions and society, it also raises questions of quality and legitimacy of the education provision and student experience due to the general lack of clear and consistent regulation.

When exploring the topic of TNE, two challenges arise at the starting point: the broad definition, and the lack of data about the volume and location of this activity. The OECD-UNESCO Guidelines for Quality Provision in Cross-border Higher Education (2005) define it as any education provision in which “the teacher, student, programme, institution/provider, or course materials cross national jurisdictional borders” (OECD, p.9).

When using the slightly narrower definition of a learning activity that takes place a country (receiving country) other than the primary location of the institution that is delivering the education (sending country), this still covers a range of models including franchise programmes, branch campuses, online/distance education, joint programmes and joint ventures (see also Knight, 2006, for classifications of TNE).

Definitive figures for the volume of this type of activity are not available (partly due to the broad definition of the concept) and its relevance varies significantly from one country to another. In the European Higher Education Area (EHEA), the most significant sending country is by far the United Kingdom, with c. 532,460 students enrolled in TNE delivered by a UK provider in 2021/22 (HESA data), while other important sending countries are France, Spain and Germany. Outside the EHEA, the most significant sending country is Australia. For European sending countries, the primary receiving countries are in the Gulf region and the Asia-Pacific region.

This paper will primarily focus on TNE in terms of education provided by an institution or organisation connected with an EHEA sending country, and physically delivered in a receiving country outside the EHEA. Questions specifically related to joint programmes and online/distance education are addressed but are well covered in other literature.

Various motivations underpin the delivery and uptake of TNE. For students it may represent an opportunity to study at a foreign institution when physical mobility is not an option, e.g. due to financial or family circumstances. For sending institutions, it serves to enhance global reach and visibility, as well as generating revenue. For receiving countries and local partner institutions there are also reputational benefits to partnering with foreign institutions, as well as it being a way to support skills development of the local population while reducing the risk of brain drain.

While joint programmes and joint ventures generally have established lines of responsibility for external quality assurance in the receiving country (even if implementation is not always straightforward), arrangements for models such as franchise programmes and branch campuses are often not clear, leading to concerns about the quality of education provided.

At the centre of these concerns is protecting the interests of students. Are students enrolled on TNE programmes in receiving countries getting the same standard of education as those taking the same or similar programmes in the sending country? To what extent can and should adaptations be made to teaching approaches, student support, assessment methods and curriculum content to take into account the local context? Will the qualifications awarded to the learner be recognised in the student's home country and give them access to further education and the job market that is equivalent to a domestic qualification? Are students receiving value for money when enrolling on TNE programmes? What are the opportunities and expectations for student involvement in higher education and quality assurance (particularly in contexts where there is not a strong tradition of this)?

Existing tools and frameworks

Several tools and frameworks already exist which support, either explicitly or implicitly the quality assurance of TNE. Within the EHEA there has been an increased focus on TNE in recent years, most notably due to the European Universities Initiative of the European Union. Although the quality assurance of inter-European TNE has well-documented challenges, a minimum level of trust and transparency is in place due to the EHEA framework for quality assurance, underpinned by the commitment to quality assurance in compliance with the Standards and Guidelines for Quality Assurance in the EHEA (ESG) as well as the use of tools such as the European Approach for the Quality Assurance of Joint Programmes (2015) and Bologna Process Ministerial commitments for openness for cross-border quality assurance and acceptance of foreign quality assurance decisions coming (in both cases) from agencies that demonstrate their ESG compliance through EQAR registration.

According to the introduction to the ESG, 'The ESG apply to all higher education offered in the EHEA regardless of the mode of study or place of delivery. Thus, the ESG are also applicable to all higher education including transnational and cross-border provision.' (ESG, p.7). However, there is no explicit reference to quality assurance of education offered outside the EHEA, even if the sending institution is located within it. Similarly, the Bologna Process commitment to apply equal quality assurance standards to transnational higher education as those used for domestic provision (Rome Communiqué, p.7), implies implementation within the EHEA through references to reliance on quality assurance processes by an EQAR-registered agency.

A recent study on quality assurance processes in EHEA countries (based on surveys to the main stakeholder groups through the QA-FIT project) provided a picture of uneven coverage of TNE. According to responding national authorities '44% of higher education systems lack provisions in their legal framework to ensure that external QA encompasses the transnational provision offered by their own country's higher education institutions', although it should be noted that some countries do not have higher education institutions abroad, or the transnational provision may be addressed through the regular institutional review by as opposed to through a separate process (QA-FIT paper *Quality Assurance and Internationalisation*, forthcoming). Similarly, '42% of responding quality assurance agencies reported that they cover transnational education in their external quality assurance procedures, thus ensuring coverage of such providers that is based on the ESG. However, data further

shows that 24% of them use different evaluation criteria for transnational education than for home provision.’ (ibid.)

Continental frameworks are also in place in other world regions (e.g. in Africa and the ASEAN region, both of which are strongly aligned with the ESG and based on the same fundamental principles), however these are not as mature or pervasive as in the EHEA and also do not explicitly address TNE. Some efforts have been made to address the gap in regulation on the global level. In 2005 UNESCO and the OECD jointly issued Guidelines for Quality Provision in Cross-Border Higher Education. These provide guidance and recommendations for key stakeholder groups, including governments, higher education institutions, student bodies, quality assurance agencies, recognition organisations and professional bodies.

However, a 2022 report into the implementation of the Guidelines concluded that although the core principles were de-facto widely accepted, there was insufficient awareness of the Guidelines themselves amongst the relevant stakeholder groups, and implementation was also hindered by a lack of concrete support for developing procedures (Hopbach, 2022, p.3). It can also be noted that the Guidelines do not take into account almost two decades of developments in the interim, including national and regional quality assurance frameworks and the regional and global recognition conventions, and therefore appear somewhat outdated (ibid., p.26). Following the publication of that report, ENQA has been in close dialogue with the OECD and has offered to play a convening role in bringing key global players together for concrete action on quality assurance of TNE, with the dialogue prompting many of the reflections made in this paper.

In 2013-2016, ENQA coordinated a project ‘Quality Assurance of Cross-border Higher Education’ (QACHE), which looked into the different ways in which European quality assurance agencies and higher education institutions addressed the accreditation and quality assurance of programmes delivered outside of their home countries. The project consortium included quality assurance agencies from four significant European provider countries (the UK, France, Spain and Germany) and one from outside Europe (Australia), as well as networks representing two key host regions (Arab countries and Asia-Pacific countries). In addition to exploring practices at the time, the project produced a toolkit for agencies for quality assurance of TNE. The toolkit sought to address two key needs identified by the project – the lack of information and dialogue on national approaches to TNE; and the need to find practical ways for agencies in sending and receiving countries to cooperate and share responsibility (ENQA, p. 2). On this basis, the toolkit provides concrete recommendations to agencies to support information sharing and cooperation. Importantly, there is also a call to networks of agencies to use their position and coverage to facilitate the implementation of the QACHE toolkit, thus recognising the role of such networks as a multiplier and facilitator of dialogue and sharing of practice.

Although the project outputs were widely welcomed and commended by ENQA’s community of quality assurance agencies, it has been difficult to measure any concrete impact or uptake, particularly as there was no formal or funded follow-up work. The toolkit remains available as a relevant and useful resource but awareness of the material may now be limited, and some aspects may benefit from updating. Furthermore, the toolkit was addressed primarily at a practical level, and it is clear that this needs to be complemented by strengthened action at the policy level to support the overarching framework and clarify the expected division of responsibilities.

More recently, the E4 Group (ENQA, EUA, EURASHE and ESU) and EQAR produced the Key Considerations for Cross-border Quality Assurance (2017). Although not specifically aimed at TNE and rooted in the EHEA context, the recommendations still have relevance, particularly for agencies that might be reviewing education provision outside of their normal operating context.

The view from outside Europe

As input for this paper, ENQA gather informal views from some key actors from outside Europe on the issues related to TNE in their countries. This included AAU (Africa), HKCAAVQ (Hong Kong) and CONEAU (Argentina). There is insufficient space in this paper to share all of their detailed input, but ENQA will also use these contributions in separate briefings for our members.

Some countries have well-established procedures for the registration and quality assurance of incoming TNE. For example, TNE programmes delivered in Hong Kong are registered and accredited by the local

agency (HKCAAVQ - Hong Kong Council for Accreditation of Academic and Vocational Qualifications). In Argentina, there is also a national process for the quality assessment of incoming programmes and institutions. In Africa, a representative from the Association of African Universities reported that the situation is quite different, and those countries that open up to incoming TNE (including notably Nigeria, Ghana, Kenya and South Africa) lack specific capacity to take responsibility for this form of education. In this case, the responsibility lies by default with the sending institution and country to ensure the quality of the provision. With this in mind, AAU raised specific concerns about protection of learners against fraudulent providers (both in terms of recognition of qualifications and financial fraud), as well as protection and job security of local staff engaged in delivering the TNE.

Overall, two clear challenges were raised, which echo long-standing concerns identified through other work: Firstly, the need to provide transparent information about the quality of TNE programmes, and secondly, to ensure that the delivery and outcomes of those programmes are of the same standard as those offered in their countries of origin. Those that have taken action for local responsibility for the quality assurance of TNE, cited this second point as a key motivating factor. Specific issues were also raised in relation to programmes linked to regulated professions, where questions of recognition of qualifications and therefore access to the labour market have a critical impact on the careers of students and graduates.

Although not specifically the topic of this paper, respondents to ENQA's inquiries also mentioned online and distance education as a key concern, as this might fall outside the scope of procedures established to quality assure physical education provision in the receiving country and therefore represent a significant area of risk for the protection of student interests.

Reinforcing what has been noted already, international cooperation was mentioned by ENQA's international partners as a crucial foundation of successful TNE, regardless of formal regulation. HKCAAVQ highlighted that they have successfully undergone a review against the ESG, which supports the alignment of their quality assurance system with the systems of some incoming provision. Although not a widespread practice, this is one approach to aligning standards and expectations within and outside the EHEA and was particularly relevant for Hong Kong, where a significant portion of incoming TNE originates from the UK. For this reason, the agency also has strong collaboration with the UK quality assurance agency (QAA), including conducting a joint review in 2018. It can also be noted that some ENQA member agencies from significant sending countries in the EHEA have well developed partnerships with agencies in receiving countries as a result of the importance of TNE.

In many cases, cooperation partners for TNE and quality assurance are in line with historic, cultural and language ties, including those with roots in colonisation and migration patterns. This can be seen in the above example of Hong Kong and the UK. In the case of Argentina, it has strong cooperation with Germany and France, and Latin America more generally focuses in the first instance on Spain. Cooperation has been formalised through the establishment of SIACES (Ibero-American System for Quality Assurance in Higher Education, a network that includes quality assurance agencies from South America and south-west Europe) and this supports information and transparency between quality assurance bodies in the two regions as well as providing a framework for specific initiatives for the quality assurance of distance education. Cooperation between the two regions has recently been given further impetus by a Memorandum of understanding between SIACES and ENQA, with information sharing being a key component of future cooperation plans.

Call for action

Based on recent work and discussion with members, ENQA identifies three clear avenues for further action to support transparent quality assurance of TNE and thereby protect the interests of students enrolled in this form of education, and to work towards a reality where the quality concerns do not undermine the benefits that it can bring to a range of stakeholders. These calls for action are made also in the context of the recent UNESCO Global Recognition Convention which recognises the importance of quality assurance in building trust in qualifications.

Firstly, all partners that ENQA spoke to in preparation of this paper emphasised the importance of information sharing and the role of regional networks for facilitating and advancing this. This demonstrates that there is still a significant amount of work to be done in this area, despite recommendations from previous projects and initiatives already focusing on this aspect. Clearly ENQA

has a significant role here and discussions are already underway within the Association on how to best advance this, in cooperation with other regional networks.

Secondly, there is a clear need for individual countries, agencies and institutions to lead by example in protecting the interests of students on TNE programmes. Simple assertions that the quality is good are not enough. ENQA therefore calls on the national authorities and quality assurance agencies in the most significant sending countries to ensure that they have clear guidance and transparent published information about division of responsibilities, criteria and cooperation arrangements for the quality assurance of TNE offered by institutions in their jurisdiction, as well as how incoming TNE is addressed. In parallel, institutions should also make clear how their transnational education provision is monitored and do so in a way that is accessible and understandable for (prospective) students. The major actors in this area need to lead the way and demonstrate good practice that can provide inspiration for others.

Finally, there is scope to strengthen the use of existing tools and guidelines. The basic premises of the UNESCO/OECD Guidelines and the QACHE toolkit are still highly relevant, but actions would be needed at national, regional and international level to enhance awareness and implementation. Aside from this, at the EHEA level, the upcoming revision of the ESG also provides an opportunity to reflect on whether an explicit reference to the quality assurance of TNE outside the EHEA (when delivered by an EHEA sending country) could be included. Recent studies (conducted through the QA-FIT project) have highlighted the importance and value of the ESG as a framework for international cooperation, and its widespread stakeholder ownership and acceptance make it a potentially powerful vehicle for ensuring that the quality of TNE delivered outside the EHEA matches that delivered internally. At a minimum, guidelines relating to information provision specifically on the quality assurance on TNE could be incorporated into existing standards on public information applicable to institutions and quality assurance agencies. Although explicit incorporation of TNE into the ESG would only affect a limited proportion of TNE delivery worldwide, the path of developments in other regions have demonstrated that they take inspiration from the EHEA and its 20 years of harmonisation efforts to inform their own directions, so it would be an important starting, again following the principle of leading by example.

These actions need to be implemented in parallel, as a multi-pronged approach to address this issue. ENQA looks forward to exploring these actions further in the near future and playing a proactive role in ensuring that the protection of student interests remains at the heart of approaches to the quality assurance of TNE.

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