

JISC Study to Explore Legal & Records Management Issues
Relating to the Concept of the Lifelong Learner Record

**Consultation of selected professional associations
on national developments regarding the Lifelong
Learner Record and Electronic Portfolios**

The 'Legal and Extra-Legal Concerns' Report

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Appendix A: Preface and Table of Contents of the consultation document 'Lifelong Learner Records and Electronic Portfolios to support Continuing Professional and Personal Development: Scoping the Possibilities for Professional Bodies'.

Appendix B: Questionnaire used in the consultation.

1. Introduction

One of the five main objectives of the JISC Study to Explore the Legal and Records Management Issues Relating to the Concept of the Lifelong Learner Record (hereafter the Legal Study), Phase 1, was to “determine the perceptions of the legal and extra-legal risks and benefits of the LLR amongst stakeholders, regulators and other interested parties”. A key stakeholder group, identified by the Legal Study researchers, are professional associations, as they occupy the middle space between the education sector and the employment sector.

The Legal Study has consulted selected professional associations on national developments regarding the Lifelong Learner Record and Electronic Portfolios. The aim of the consultation was to establish professional associations’ perceptions of:

- Legal issues relevant to the proposed national Lifelong Learner Record (LLR) or electronic portfolio for lifelong learning;
- Particular areas of legal concern for their own organisation regarding national developments around the LLR/electronic portfolio for lifelong learning;
- Benefits they envisage gaining by entering into formal co-operation with the education sector in the national developments around the LLR/electronic portfolio for lifelong learning;
- Risks that might involved in them co-operating with the education sector in such developments;
- Factors that might stand in the way of them entering into formal co-operation with the education sector.

This report presents the outcomes of the consultation. It first outlines the approach taken and methodology used in establishing the professional associations’ perceptions of the above outlined and other related questions (see Appendix B). It then presents the key findings of the consultation in two separate sections. Section three of the report discusses the legal issues and concerns raised by Professional Associations regarding a national LLR/e-portfolio system. The section also includes some related extra-legal concerns expressed by them. Section four outlines the views of the Professional Associations on the possible co-operation with the education sector on the LLR/e-portfolios. The views involve their perceptions of both risks and benefits of such co-operation. In section five, conclusions are made on the basis of the outcomes of the consultation. The report concludes with recommendations regarding how this work could be applied and taken forward, should the JISC wish to do so.

2. Methodology

There are two different, basic approaches to investigating any societal actors' perceptions or views on topical issues. These are the quantitative approach and the qualitative approach. A quantitative approach allows the consultation of a large number of actors but only allows the researchers to touch the surface of the actors' perceptions. Such approach to the consultation of professional associations would involve an opinion survey, where a large number of organisations would be sent a standardised questionnaire with pre-defined answer options. In contrast, a qualitative approach to social research enables researchers to gain an in-depth understanding of actors' perceptions on the issues in questions. However, such approach can only accommodate a limited number of actors. This is due to the fact that a qualitative research strategy involves one-to-one or focus group interviews, the conduct and transcription of which are very time consuming. A qualitative approach might also involve an open-ended or a semi-structured questionnaire in addition to the interview or focus group discussion.

Having considered the pros and cons of the two approaches to social research, the JISC Legal Study researchers reasoned that it would be more appropriate to pursue a qualitative strategy when seeking to establish professional associations' perceptions on the legal and extra-legal risks and benefits of the LLR/e-portfolios. It was decided that the combination of a semi-structured questionnaire to, and interviews with, relevant representatives of professional associations would be likely to yield the best result. To facilitate the consultation, it was decided that the questionnaire to be sent to professional associations ought to be accompanied with a document explaining the national developments regarding the LLR/e-portfolios.

The JISC Legal Study researchers selected 15 professional associations, representing a wide range of professions, from a list of about 170 professional bodies and learned societies in the UK. All 15 selected organisations provide CPD/PDP related information and/or services to their members, whether supported by an online tool or not. These professional associations were:

- Association of Chartered Certified Accountants
- Association of Medical Secretaries
- Practice Managers, Administrators and Receptionists
- British Medical Association
- Chartered Institute of Personnel and Development
- Chartered Management Institute
- Institute of Chartered Accountants in England and Wales
- The Institution of Electrical Engineers
- The Institution of Incorporated Engineers
- The Higher Education Academy
- The Institute of Training and Occupational Learning
- The Law Society

- The Law Society of Scotland
- The Royal College of Midwives
- The Royal Institute of British Architects
- The Royal Institute of Chartered Surveyors.

After selecting the organisations to be consulted, the Legal Study researchers developed criteria for selecting the relevant representatives of professional associations to be approached with a letter. The criteria were: Those employees of the organisations, at the highest possible level, who were involved in setting the standards for entry and training into the relevant profession, in accrediting or certifying their professional members, in overseeing professional training relevant to the organisation, or in developing innovative ways to improve or expand the services that the organisation offers to its members. The relevant representatives' names were identified through institutional web sites and by calling the organisations. At this stage, the researcher who undertook the study had a chance to have an informal discussion with the representatives of some of the organisations about the forthcoming consultation.

The letter sent to the listed professional associations comprised a cover letter, a 12-page document and a questionnaire. The cover letter explained the purpose of the consultation and outlined how its outcomes would be used. The purpose of the 12-page document was to provide an overview of the current UK practice and policy regarding ICT applications for the facilitation of CPD, PDP, and the recording and transfer of learner information across institutions and sectors. It was titled 'Lifelong Learner Records and Electronic Portfolios to support Continuing Professional and Personal Development: Scoping the Possibilities for Professional Bodies'. The four-page questionnaire contained 13 closed and open questions. The questions seek to establish both the professional organisations' views on the national developments around the LLR/e-portfolio and their own plans regarding involvement with such applications. The questionnaire concluded with the question: 'Would you and/or other representatives of your organisation be willing to take part in a semi-structured interview regarding your organisations' views about the national developments in the area of the Lifelong Learner Record and electronic portfolios systems? The purpose of this additional question was to recruit representatives of the organisations to take part in interviews with the researcher focusing on the topics outlined in the consultation document and the questionnaire. (Please see Appendix A for the contents of the 12-page document and Appendix B for the full questionnaire.)

The letters were sent to the appropriate representatives of the selected professional organisations in late April. The representatives were kindly asked to read the informative document and to complete and return the questionnaire by a certain date. The Legal Study researcher made follow-up phone calls to each of the potential respondents about one week after sending the letter. In some cases, the conversations aided the organisations' commitment to the consultation. In a few cases, the phone call served the purpose of establishing that the organisation was not interested in, or the representative in question did not have the time to, take part in the consultation. In addition, some potential respondents were difficult to get hold of and would not return calls.

The outcome of this part of the consultation was that seven of the 15 organisations contacted returned the completed questionnaire, although in a few cases not all questions had been answered. Only three of the seven professional associations agreed to take part in a semi-structured interview with the researcher. The three interviews were carried out

between end of May and mid July 2005. The one-to-one interviews were recorded with a digital voice recorder, and transcribed by the researcher in Autumn 2005.

The next two sections of this document present the findings on the legal and extra-legal concerns of the seven professional associations, who agreed to take part in the consultation.

3. Legal issues and other concerns raised by professional associations regarding a national LLR/e-portfolio system

The professional associations were asked two questions in the questionnaire that made explicit reference to legal issues. These questions were:

- What kind of legal issues, if any, do you see as relevant in relation to the provision of a Lifelong Learner Record System or an electronic portfolio for lifelong learning across the UK?
- Do any legal issues give your organisation a particular reason for concern, and if so, why?

These questions were also taken up in the interviews with the three professional associations that had agreed to take part in a one-to-one semi-structured interview with the researcher. The representatives of the professional associations were encouraged to elaborate on their initial responses to the questions and asked if they could think of any other relevant legal issues or had any other legal, or related extra-legal, concerns. This section reports on the findings regarding legal concerns and related extra-legal issues raised by the professional associations in the seven returned questionnaires and in the three interviews.

3.1. *Legal issues seen as relevant to a national LLR/e-portfolio system*

Data protection was seen by far the most central legal issue relating to the proposed provision of a LLR system or electronic portfolio for lifelong learning across the UK. All five professional associations, who had answered the questionnaire's question about what they see as relevant legal issues in this context, made some reference to data protection. One mentioned data protection act as the only relevant legal issue, another simply stated data protection, and two made specific reference to confidentiality of personal data. The fifth respondent gave the most elaborate account of the data protection issues involved by naming privacy and confidentiality of personal information as well as security of storage and transfer of such information. Interestingly, nobody mentioned specifically the issue of accuracy of personal data records.

Access to information, stored in a person's LLR system/e-portfolios, by third parties was another, related legal issues raised by several professional associations. One respondent saw the possibility of private information being shared inappropriately as an individual civil liberties issue. Another respondent was generally suspicious about this type of large-scale government project, and was wondering whether it would be another "big brother" initiative that would compromise citizens' right to privacy.

The third main issue area identified as relevant in this context was the *accessibility* of any LLR/e-portfolio tool adopted by individual institutions and the accessibility of any nationwide system. One respondent, whose organisation had already implemented one type of e-portfolio tool to support its members CPD, was confident that the web development company that had developed their CPD portal had made it compliant with the latest accessibility standards. Others acknowledged accessibility as an important issue that they would address if or when they were to introduce an e-portfolio tool to their members in the future.

Other legal issues that were either mentioned by one of the three people interviewed or emerged as relevant in their conversation with the Legal Study researcher were: Intellectual property rights in any e-portfolio tool that professional associations had, or are intending to, develop or implement; privacy and confidentiality of “case data” (e.g. data concerning health care patients or solicitors’ data concerning legal cases), should people choose to store such data in their e-portfolio; copyright in the potentially original ideas and work created, and stored in an e-portfolio, by both student and professional members of professional associations. Some of the legal issues identified here as relevant will be revised in the next sub-section, where the legal concerns expressed by specific professional association are outlined.

3.2. Particular issues of legal concern to specific associations or professions

A professional association representing the legal profession saw the issue of solicitors storing information concerning sensitive cases in their LLR/e-portfolio as raising privacy and confidentiality concerns. However, the respondent thought that this and any other legal issues could be overcome.

The representative of one of the professional associations in the UK representing accountants stated that some of its members have expressed concerns about the confidentiality of information in the institution’s electronic CPD tool. These members feared that the staff of the professional association would view their CPD records without asking for permission to do so. The representative of the association assured such unauthorised access does not take place. Another legal concern for this professional association relates to the possibility of disciplining members if they are not keeping up with their CPD requirements. It was anticipated that the association could be challenged under the European Human Rights Act if it disciplined members by restricting their professional practice.

For the representative of one of the health care sector professions, the main concern was that private information held in an LLR/e-portfolio would be accessed by, and made available to, third parties against the wishes of the data subject. The respondent was particularly concerned about employers having too strong access rights to their employees’ LLR/e-portfolio.

3.3. Extra-legal concerns regarding a national LLR/e-portfolio system

Some of the professional associations also expressed extra-legal concerns.

The professional association of one of the health care sector professions expressed concern over the influence of the proposed national LLR/e-portfolio system on professional accountability and professional regulation. Specifically, it was feared that an LLR/e-portfolio for all working in the health care sector would blur professional boundaries. It was envisaged that an electronic portfolio of skills/competences would enable non-regulated health care sector workers to seek, and be appointed to, positions that are currently open only to the members of the professional association in question. This would lead to crossing of professional boundaries in a way that might compromise professional standards and consequently public safety. Moreover, it was anticipated that those who have engaged in professional misconduct and been taken off the professional register may be empowered by an e-portfolio to continue practicing. For example, the evidence in their LLR/e-portfolio may be so convincing that the new employer does not bother checking the professional register.

Furthermore, anxiety was expressed over the possibility of employers misusing the employees' electronic portfolio information. Firstly, professionals in the health care sector might have whole range of skills for which they are not paid for. If the skills were recorded and verified in the e-portfolio, it would raise salary expectations, which the employer would be unlikely to meet. Secondly, some health care professionals choose to stay in a certain level of employment and do not wish to be promoted. If their employer had access to their e-portfolio containing a record of relevant skills/competences, the employee may be pressured to take up a more demanding position. This possibility is exaggerated by the fact that there is a shortage of health care professionals in the UK. In addition, older people in health care professions, and those from specific ethnic groups, are not used to challenging their employers, i.e. would be unlikely to refuse the employers request to access their e-portfolio content.

The accountants' professional association generally saw the barriers to a national LLR/e-portfolio system to be more of a cost/benefit than of a legal nature, although some legal issues were raised by them as well. Finally, several respondents stated that it is important to consider the perceptions, interests and needs of different types of professionals when developing a possible national LLR/e-portfolio system, as their interests are likely to vary considerably.

4. Views expressed by the professional associations on co-operation with the education sector on LLR/e-portfolios

The questionnaire sent to the selected 15 professional associations invited them to consider the possibility of co-operating with the education sector in the national developments around the LLR/e-portfolio for lifelong learning. They were asked to judge what they found to be both the main benefits and risks involved in such co-operation. The specific questions, in the order of presentation, were:

- What *benefits* might your organisation envisage gaining by entering into formal co-operation with the education sector in the national developments around the electronic portfolio for lifelong learning?
- What *risks* might there be for your organisation in co-operating with the education sector in such developments?
- What *factors* might *stand in the way* of your organisation entering into formal co-operation with the education sector?

As this report focuses on the perceived legal and extra-legal concerns expressed by the professional associations, the findings regarding the last two questions will be outlined first. In order to gain a balanced view of the concerns, however, the section concludes with an account of the perceived benefits.

4.1. *Perceived risks of co-operating with the education sector*

The representative of one professional association named “loss of control” as a key risk. Loss of control refers here to the extent to which the professional association in question would be able to influence the relevant developments in case it decides to fully co-operate with the education sector. They were worried that the development work would already have been completed by the time the professional association enters the co-operation. Hence, it would be obliged to adopt the available system as it stands and would have little control over how the system will look like in the future. If the association joined the national developments led by the education sector, it may not be able to control the developments in the same way it could if it developed its own system. It was also stated that a generic e-portfolio might not serve the needs of members of the professional association.

According to another respondent, risk might be the wrong word in this context. They saw the key issue to be whether there would be a market for the LLR/e-portfolio for lifelong learning and whether it would generate real value, even when considering co-operation with the education sector.

The third respondent mentioned competing priorities between health care sector education, relevant to their association, and mainstream education. Doubt was expressed as to whether anything developed for mainstream education would serve the interests and needs of a specialist health care profession.

4.2. Factors standing in the way of co-operating with the education sector

The question regarding what factors might stand in the way of the professional association entering into formal co-operation with the education sector contained four pre-given alternatives, and an “other factors”, open category. The possible factors that were suggested were: Financial constraints, technological issues, increasing administrative burden, and differences in the nature and logic of operation of the education sector vs. your organisation.

Five professional associations answered this question. Four out of the five saw differences in the nature and logic of operation of the education sector vs. their organisation as a barrier to co-operation. Three organisations feared that co-operation with the education sector, and indeed the introduction of an LLR/e-portfolio in their organisation in general, would lead to increasing administrative burden on part of their employees. Two professional associations, one small and one large one, saw financial constraints as a significant hindering factor. Only one association thought that technological issues would stand in the way of co-operating with the education sector in this area.

Several professional associations also identified other barriers to co-operation with the education sector. For one, confidentiality was an issue in two senses. On the one hand, it was stated that confidentiality of the professional association members’ personal data contained in an e-portfolio/LLR system, which was shared with the education sector, would be likely to be a sensitive issue. On the other hand, confidentiality of information concerning parties (e.g. education sector institutions and one or several professional organisations), who share the same e-portfolio system, might be compromised. More specifically, the confidentiality of the work done by the professional association in question could be compromised if it entered into a close co-operation arrangement with education sector institutions.

Another factor seen to be standing in the way of joining the education sector in LLR/e-portfolio developments was the lack of expertise and knowledge base on part of the professional association in this area. Finally, one association did not see any impetus for co-operating with the education sector, as it already has its own bespoke electronic CPD support system for its members.

4.3. Perceived benefits of co-operating with the education sector

In addition to the above outlined concerns, three professional associations also saw several benefits in entering into co-operation with the education sector on the national developments regarding the LLR/e-portfolio for lifelong learning.

The representative of the legal profession envisaged the key benefits to be: Sharing of best practice and ideas with the education sector; joint promotion of lifelong learning pathways as a continuum from cradle to grave; enhancement of flexibility in solicitors’ career progression and their movement between sectors; and sharing of development costs and expertise with the education sector. Enhanced flexibility in career progression and movement between sectors was seen particularly important for solicitors who want to change to a different profession and for professionals in other fields who wish to retrain and qualify as solicitors. A nationally recognised method of recording progress and career

development was seen as beneficial to these people, as such a system would be likely to make it easier for them to change professions. Also, the regulatory bodies would find it easier to recognise what those wishing to retrain have already done, if or when all such bodies were working with similar tools in their own profession.

The representative of one of the health care sector professions envisaged that co-operation with the education sector would enable the professional association to influence the shape and direction of LLR/e-portfolio developments in a way that strengthens both the education and practice of the profession.

The representative of an accountants' professional association admitted that at one level it makes sense to track an individual's achievements throughout their learning life and that the education sector is obviously in a key position in this regard. However, the respondent expressed doubt as to the feasibility and cost/benefit of joining an education sector-led initiative. There are issues to be addressed as to requiring members of professional associations to engage in recording their CPD activities electronically. It was thought that it would be easier to motivate members to take up a bespoke system than anything geared towards a generic lifelong learner.

One professional association did not see any benefits in co-operating with the education sector at present, and three other associations did not answer the relevant question in the questionnaire.

5. Conclusions

The consultation of the selected professional associations suggests the following conclusions. The associations that took part in the consultation were aware of several of the key legal issues identified by the JISC Legal Study as relevant to the LLR/e-portfolios. The main issues raised by them were data protection, and the related issue of access to data, and accessibility of any LLR/e-portfolio system. The interviewed representatives were also able to identify some legal concerns that are specific to their organisation and/or the profession they represent. These concerns revolved around the issue of access rights, and in particular the danger of unauthorised access by third parties to personal data held in the LLR/e-portfolio. Another legal concern was the storage of sensitive data concerning third parties in an e-portfolio, and the privacy and confidentiality issues arising from it.

In addition to the legal issues, several extra-legal concerns were raised by the representatives of the professional associations. The key finding in this area was that it was seen as important that the parties involved in creating the proposed national LLR/e-portfolio system take note of the perceptions and interests of different types of professionals and allow any system to be customisable for their particular needs. There were specific calls to consider the effect of the introduction of an LLR/e-portfolio to professional regulation and accountability, and to justify the cost of developing such a national system.

Regarding the possibility of professional associations entering into formal co-operation with the education sector around LLR/e-portfolios, several concerns were expressed as well. The difference in the nature and logic of functioning of the education sector versus professional associations was seen as a key factor that might hinder such co-operation. Another concern was that co-operating with the education sector would involve having to adopt an existing model for an LLR/e-portfolio without the organisation having any say about its future shape, although one organisation thought that co-operation was the only way to have some influence. There was also concern that confidentiality of both the work done by professional associations and their members' personal data might be compromised if professional associations would share the same LLR/e-portfolio system with any education sector institution.

Despite finding that there are some risks involved in co-operating with the education sector, professional associations found that it would have significant benefits as well. The main benefits were envisaged to be the joint promotion of lifelong learning pathways throughout professionals' lives and enhancement of flexibility in career progression and movement between different sectors. Also, it was hoped that such co-operation would lead to sharing of ideas and best practice and allow professional associations to shape future developments of the proposed national LLR/e-portfolio for lifelong learning.

The final section of this report puts forward some suggestions as to how the JISC could build on the findings of this small scale consultation. On the one hand, the legal and extra-legal concerns expressed by professional associations need to be addressed in some way. On the other hand, the JISC is in the position to contribute to the materialisation of the perceived benefits of an education sector led LLR/e-portfolio development work to professional associations and the lifelong learning professionals, should it choose to do so.

6. Recommendations

It is clear that the legal issues identified as relevant, and especially the specific legal concerns expressed, by the professional associations will need to be addressed regarding the proposed national LLR/e-portfolio for lifelong learner. In addition, the professional associations need to be made explicitly aware of how their legal concerns have been solved or mitigated to facilitate trust in, and consequently buy-in to, any such national initiative.

Addressing the concern about too wide access rights and unauthorised access to the LLR/e-portfolios requires the provision of legal and practical guarantees that the LLR/e-portfolio is managed and controlled by individuals. It would also be beneficial if educational material concerning the rights and obligations of all parties concerned would be made widely available. As to the storage of sensitive data concerning third parties in an e-portfolio is concerned, the recommendation is to issue general legal guidance on the issue and leave it to professional associations to communicate the guidance appropriately to their members. It is recommended to take note of professional associations' extra-legal concerns regarding the proposed national LLR/e-portfolio for lifelong learning. Only if such concerns are addressed, the decision-makers in the professional associations will feel that they can trust the system and be willing to encourage, or indeed require, their members to use it.

Many professional associations set standards for entry to professions, accredit professionals and provide training. They clearly have a role to play in making practical the seamless movement of learners across sectors and lifelong learning pathways. Several professional associations perceived risks in co-operating with the education sector in LLR/e-portfolio development work. However, many also saw that such co-operation could bring benefits to them, the professionals they represent, and the citizens of the UK at large. It is recommended that the JISC considers whether, and if so, how it might wish to involve professional associations in the future development work in this area. If the JISC finds that it would be beneficial for the future prospects of the LLR/e-portfolio for lifelong learning to get professional associations on board, it needs to act quickly. Several professional associations have already developed and implemented their bespoke electronic CPD support systems that may or may not interoperate with any PDP systems used in the education sector. Moreover, especially "Chartered" professional associations are busy defining and designing electronic tools to support their members in both accreditation and general CPD. It may be the case the involving professional associations at an early stage will bring the JISC, or other relevant government bodies, one step closer to being able to awake the interest of employers in the proposed national LLR/e-portfolio for lifelong learning.

If the JISC, or another appropriate body, decides to begin a dialogue with professional associations on the LLR/e-portfolio, it is recommended that it adopts either or both of the following two practical approaches in taking this small scale consultation forward.

The first practical approach would involve undertaking a follow-up study of the professional associations' perceptions of the legal and extra-legal concerns regarding the LLR, and extra-legal risks and benefits of co-operating with the education sector, along the lines outlined in this report. Such a follow-up study could involve a different set of, for example, 15-20 professional associations. The purpose of the study or consultation would be threefold. The first aim would be to establish what a wider range of professional

associations are doing in the area of electronic tools to support CPD and professional accreditation. The second would be to get a more comprehensive overview of the specific concerns of different associations. The third aim would be to make a larger number of professional associations aware of the proposed national LLR/e-portfolio system and existing related initiatives in the education sector.

The second practical strategy would involve facilitating focus groups consisting of representatives of both professional associations and employers in specific fields. The purpose of the focus groups would be to inform these parties of the LLR/e-portfolio developments, and to gain an understanding of where professional associations' and employers' perceptions of these developments are similar and where they differ.

The possibility exists to act on one of the two practical approaches recommended above within the JISC Legal Study Phase Two, as prefigured in its project plan.

Appendix A:

Lifelong Learner Records and Electronic Portfolios to support Continuing Professional and Personal Development Scoping the Possibilities for Professional Bodies

Who should read this document?

Representatives of Professional Bodies involved in setting the standards for entry and training into the relevant profession, in accrediting or certifying their professional members, in over-seeing professional training relevant to the organisation, or in developing innovative ways to improve or expand the service that the organisation offers to its members.

Terms of Reference

The Joint Information Systems Committee (JISC) of the Higher Education Funding Council for England (HEFCE), via its 'Managed Learning Environments for Lifelong Learning' Programme is surveying the possibilities inherent in linking education sector Personal Development Planning tools/data and employment sector Continuing Professional Development tools/data with the view of developing a national Lifelong Learner Record or electronic portfolio system. The overarching goal is to achieve seamless movement of learners between and across institutions and sectors, including education, professional training and employment. It is felt that the professional bodies will wish to have a stake in these developments, as major providers/validators of Continuing Professional Development opportunities for their members.

The JISC-commissioned researchers, Andrew Charlesworth and Anna Home, of the University of Bristol's Centre for IT and Law, have identified 15 professional bodies, including your organisation, as potential key participants in national development of the use of Lifelong Learner Records outside/beyond the formal educational system. As such, we would like to invite you to take part in a consultation/review process on what advantages and disadvantages professional bodies might see resulting from possible future developments in this area. As a key participant, we would be interested in your organisation's views on: Whether it uses, would be likely to use, or be interested in using, a Lifelong Learner Record/electronic portfolio application? How and when would it be most likely to use such an ICT application? What benefits might such an application bring your organisation and the profession it represents? Would your organisations be interested in formal links with a larger developmental framework (e.g. the education sector), or is it more likely that developments in this area would remain within your own field?

This document provides a concise, yet comprehensive, overview of the current UK practice and policy regarding ICT applications for the facilitation of Continuing Professional Development (CPD), Personal Development Planning (PDP), and the recording and transfer of learner information across institutions and sectors. The purpose of the document is to communicate key information on these issues to the professional bodies to enable them to develop well-informed positions on the above-outlined questions. It is hoped that by considering the issues raised by this document, and by completing and returning the attached questionnaire, your organisation will be able to provide valuable input into the policy processes surrounding development of this area.

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JISC Consultation of Professional Bodies on the Lifelong Learner Record system and electronic portfolios for PDP, CPD and lifelong learning

- Your organisation has been identified as a potential key participant in the national developments mentioned above.
- The Joint Information Systems Committee would like to know your views on these developments and will consider them when establishing good practice and putting forward suggestions for future policy in this area.
- Please complete this short questionnaire and return it to Anna Home in the attached stamped addressed envelope or as an e-mailed attachment to Anna.Home@bristol.ac.uk, if possible by 6 May 2005.
- You will be sent a copy of the report about the outcomes of this consultation on its completion
- Thank you for your co-operation

-
1. What is the name of your organisation?

 2. Prior to being contacted about this consultation and reading the attached document, had you *heard* about the concept of a Lifelong Learner Record or the electronic portfolio?
 - A. Both the Lifelong Learner Record and the electronic portfolio
 - B. The Lifelong Learner Record only
 - C. The electronic portfolio only
 - D. Neither

 3. Does your organisation offer its members any form of online tool to support their continuing professional development or lifelong learning?
 - Yes
 - NoIf yes, could you please outline that tool's main purpose and key elements here:

Main purpose:

Key elements:

4. Does your organisation offer its employees any form of online tool to support their staff development or lifelong learning?

Yes

No

If yes, could you please outline that tool's main purpose and key elements here:

Main purpose:

Key elements:

5. Would your organisation be likely to use, or be interested in using, an electronic portfolio application of some kind in the future?

Yes

No

If yes, please continue with question 6.

If no, could you outline the main reasons *why* and go to question 12, please.
Write your reasons here:

6. Please indicate how your organisation envisages using an electronic portfolio application in the future by ticking all relevant boxes.

My organisation envisages using an electronic portfolio to support:

- A. Continuing professional development of its members
- B. Staff development of its employees
- C. Personal development planning of its members
- D. Personal development planning of its employees
- E. A range of lifelong learning activities, including e-learning activities, of members and/or employees of the organisation
- F. Management of professional accreditation and/or re-validation processes

7. Please indicate what useful functions an electronic portfolio application might provide the profession that your organisation represents? Please tick all relevant boxes.

- A. Authentication of professional qualifications
- B. Evidencing of professional competencies
- C. Re-validation of professional competences
- D. Facilitation of career progression
- E. Support in complying with CPD requirements
- F. Identification of development needs and action planning
- G. Recording and updating of learner records, CVs etc.
- H. Other useful function

Please describe the “other useful function” here if you ticked box H:

8. What developmental route would your organisation be likely to prefer to take regarding electronic portfolio developments?

Please, indicate the order of preference by placing number 1 against the option your organisation would most prefer, 2 against the second preference, and 3 against the least preferred option. If your organisation finds that one or more of the options would not come into question at all, please indicate this by putting 0 in the appropriate box.

- A. Co-operate with an electronic portfolio scheme within the education sector
- B. Co-operate with other organisations in the professional field your Organisation represents in developing an electronic portfolio application
- C. Keep electronic portfolio developments in your own organisation

Why does your organisation prefer the option that you put 1 against the most?

9. What benefits might your organisation envisage gaining by entering into formal co-operation with the education sector in the national developments around the electronic portfolio for lifelong learning?

10. What *risks* might there be for your organisation in co-operating with the education sector in such developments?

11. What *factors* might stand in the way of your organisation entering into formal co-operation with the education sector? Please, tick any boxes that apply. If there are no factors that might stand in the way, please leave all boxes blank.

- A. Financial constraints
- B. Technological issues
- C. Increasing administrative burden
- D. Differences in the nature and logic of operation of the education sector vs. your organisation
- E. Other factors

Please, specify any "other factors" here if you ticked box E:

12. What kind of *legal issues*, if any, do you see as relevant in relation to the provision of a Lifelong Learner Record system or an electronic portfolio for lifelong learning across the UK?

13. Do any legal issues give your organisation a particular reason for concern, and if so, *why*?

Would you and/or any other representatives of your organisation be willing to take part in a semi-structured interview regarding your organisation's views about the national developments in the area of the Lifelong Learner Record and electronic portfolio systems?

Yes

No

If yes, please indicate below the name and telephone number of the person who can be contacted about arrangements for the interview. Also, indicate 2-3 possible dates between 9 May and 9 June on which you and/or your colleagues will be available for a 1-2 hour interview, including whether you would prefer a morning or an afternoon meeting.

Contact person's name and tel. no.:

Suitable days: