



QQI

Quality and Qualifications Ireland  
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

QQI COMPREHENSIVE POLICY DEVELOPMENT PROGRAMME

# CONSULTATION ON THE WHITE PAPER ON VALIDATION & RESPONSE TO STAKEHOLDER FEEDBACK

## REPORT

JUNE 2016

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# 1 INTRODUCTION

QQI published its new validation policies and criteria earlier in May 2016. The new policies and criteria are based on the white paper published in December 2015 and benefited from feedback on the white paper from stakeholders.

This report describes the process by which QQI consulted with stakeholders on the white paper; presents selections from the feedback received; and responds to that feedback with references to the new validation policies and criteria.

The original feedback responses, where the authors have given permission for QQI to publish are available separately.

On 15 December QQI published<sup>1</sup> a white paper and opened a consultation process on draft Policy and Criteria for the Validation of Education and Training Programmes. The following extract from the foreword explains.

*“The validation policy and criteria will comprise a core part and specialised parts. The core part entitled “Core Policy and Criteria for the Validation of Education and Training Programmes by QQI” will apply to all programmes. The core part will be augmented by specialised validation policy and criteria (and related) documents. One of these specialised parts is included in this white paper and augments the core part for programmes leading to awards from QQI’s Common Awards System.*

*This white paper proposes new validation policy and criteria for programmes of further education and training (FET) and higher education and training (HET) leading to QQI awards. It is divided into four parts.*

*Part 1 provides an introduction to the white paper and outlines some of the main changes with respect to existing validation policy and criteria.*

*Part 2 presents the core policy and procedures that will govern validation.*

*Part 3 sets out the core criteria for the validation of programmes of education and training.*

*Part 4 augments the core policy and criteria for the validation of programmes leading to FET Common Award System awards.*

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<sup>1</sup> <http://www.qqi.ie/Pages/White-Paper-on-New-QQI-Validation-Policy-and-Criteria.aspx>

*An implementation plan will be drawn up for the introduction of the new policy and criteria. Particular attention will be given to ensuring a smooth well-coordinated transition for those sectors where the change is greatest.*

*Stakeholders reading this white paper are invited to consider the implications of the proposed new validation policy and criteria and respond to QQI with comments. QQI will arrange some workshops and briefing sessions to facilitate discussions. Further information on these will follow.”*

The validation policies and criteria were published in parallel with consultation on QQI’s suite of draft Statutory Guidelines for Quality Assurance.

This parallel issue of documents was intentional. This is because a significant part of many providers’ quality assurance procedures has to do with the approval of programmes of education and training where QQI is the awarding body. In those cases, the new QQI validation policies and criteria colour the interpretation of the QA guidelines. It makes sense for those procedures to be developed in light of QQI’s new validation policy and criteria. This is particularly important for further education and training (FET) providers where there is significant change in both QA guidance and validation. The introduction of changes needs to be harmonious to avoid procedural clashes and wasted effort by providers. The transition planning for the FET sector will be discussed in detail later in this document.

## 1.1 DISCLAIMER

This paper including the QQI responses to feedback is not part of QQI’s validation policies and criteria or any other kind of formal determination by QQI. The QQI responses in this paper are made in good faith but they have no formal status regarding the interpretation of the validation policies and criteria.

The published established policies and criteria for the validation of education and training programmes by QQI are the primary reference point for providers and will in due course be supported by further specialised validation policies and criteria, implementation guidelines, protocols, conventions, procedures and such like. This paper is not an implementation guideline.

## 2 CONSULTATION

QQI published this consultation document on 15 December 2015 for response by 26 February 2016.

### 2.1 BEFORE THE PUBLICATION OF THE WHITE PAPER

A preview of the approach to validation was shared with the QQI-ETBI Forum in October 2016 and with the English Language Teaching community at a briefing workshop on 16 December 2016.

### 2.2 CONSULTATION EVENTS AND MEETINGS

A number of consultation meetings and events were held notably:

1. **16 December: ELT Providers Information & Consultation Session** – all day; Approx. 110 attending over the 3 consecutive sessions;
2. **27 January: Meeting of QQI with the Department of Education and Skills (FE and HE), HEA and SOLAS** on quality assurance guidelines and validation policy and criteria;
3. **28 January: Consultation event on QA and Validation White Paper** focussing on apprenticeship; (FET (circa 80%) and HET) (attended by approximately 76);
4. **29 January: Consultation event on QA and Validation White Papers** for independent providers (FET (circa 65%) and HET) (attended by approximately 75);
5. **1 February: Meeting the Higher Education Colleges Association (HECA) on QA and Validation White Papers** (six representative of Private Higher Education Providers);
6. **5 February: Meeting with USI on QA and Validation White Papers** (President of USI and the VP Education); the discussion focussed on QA rather than validation;
7. **10 February: ETB Focus Group Meeting on Validation Policy and Criteria.** This very well attended focus group provided the opportunity to discuss the draft white paper in detail. It was facilitated through the ETBI QQI Forum. This meeting allowed ETB colleagues to raise and discuss some of the core elements and issues/concerns within the draft policy and criteria directly with QQI. The written ETBI submission sets down the ETB's understanding and interpretation of the draft policy following the focus group meeting. QQI shares this understanding.

8. **13 February: (Saturday) Workshop for Independent FET Providers and QQI Evaluators.** Mainly about the current process but partly about the white paper (attended by approximately 50 including 5 evaluators)
9. **16 February: Participation in AONTAS CEN Webinar.** We hope this assisted the network in compiling its formal submission to the consultation process.
10. **Learner Focus Group** (15 February (DCU), 25 February (at QQI), and 8 March (Killester College of FE). The focus in all three was mainly on FET though there was some discussion of HET.

23 written responses were received and all but one can and will be published. Additional written responses were embedded in responses to consultation on the QA guidelines.

### 3 OVERALL RESPONSE TO THE WHITE PAPER

There was judged to be sufficient support for the adoption of the new policies and criteria for validation based on the published white paper with certain changes motivated by the feedback received.

This view was informed by feedback collected at the meetings and events with groups of providers and other stakeholders where the white paper was explained and discussed. It was also informed by consideration of the written feedback.

It is noteworthy that the adjustment in the approach to validation is most significant for providers of Further Education and Training (FET) programmes (including providers of community education programmes). The commitment by QQI, during the consultation process, to work with FET providers on developing and agreeing an implementation plan that allows a reasonable time for transition will help address many of the concerns raised. The conclusion to the ETBI written submission states, for example:

*ETBI welcomes the core principles and thrust of QQI's validation policy and criteria as set out in the white paper. The draft white paper introduces new concepts and terminology and ETBI suggests that the inclusion of a glossary of terms with the final policy document may be helpful to assist providers in navigating the new policy and criteria.*

*ETBI looks forward to publication of the new policy and to working closely with QQI and other stakeholders in developing an implementation plan for the sector.*

A number of specific concerns were uncovered by the consultation process and these are addressed in detail later in this document.

The new validation policies and criteria will guide the development of numerous dependent guidelines (e.g. on making applications, on assessment on revalidation and such like) that will need to be developed to replace the existing ones. Existing policies, procedures, guidelines, conventions and protocols would be phased out as they are replaced—the details of this will be managed by the QQI executive.

## 4 ANALYSIS OF THE FEEDBACK

QQI is most grateful for all the feedback (written and verbal) on the white paper. The feedback is constructive and useful.

**The new policies and criteria for validation have benefited from this feedback. The feedback will also help inform how the policies and criteria are implemented, and the development of further specialised policies and supporting documentation.**

There were many positives in the written feedback and the feedback at consultation meetings and events. However, this analysis will focus on the criticisms and suggestions offered and on the concerns expressed about how the proposed policy and criteria might be implemented.

A range of topics from the feedback have been selected for analysis and (QQI) response. The selection includes topics that are particularly relevant to the validation policies and criteria or particularly frequently occurring. In some cases, quotations are provided to exemplify the feedback.

The purpose of considering the responses during the development of the new policies and criteria was to help ensure that the validation policies and criteria would be viable and the analysis and selected responses have that as their focus. Some of the topics raised will need to be addressed in supporting documentation or when implementing the new policies and criteria.

The presentation of topics follows a logical order.

### 4.1 COMMENTARY ON EXISTING QQI VALIDATION POLICY AND CRITERIA AS IT RELATES TO FET

The white paper's criticism of the existing QQI FET validation policy was taken by the ETBs as a criticism of their implementation of this policy. The tone was considered unduly harsh. The critique of the existing validation policy, particularly the tenor, was upsetting for colleagues in the ETB sector. For example,

*“By way of clarification, while it may not have been the practice in all FET legacy processes for validation, ETBI would like to note that programme evaluators used within the ETB sector to evaluate programmes have always been required to be subject matter experts within the discipline area, this continues to be part of the criteria for selection. Evaluators are not*

*anonymous and are chosen based on their subject matter expertise and experience. This is part of the process of the devolved responsibility for validation which was assigned to the sector under the legacy programme approval agreement process agreed through former FET awards council processes.*

*ETBI understands from QQI that the description of the legacy FET processes as outlined in the draft white paper, will not be included in the final validation policy document.” (ETBI)*

*“CDETB is dismayed and concerned at how the existing Programme Approval Agreements were portrayed in the White Paper published by QQI. The descriptive text as follows is particularly concerning: ‘[t]he legacy FET validation process and criteria are **weak** in their evaluation of capacity and capability to provide the programme submitted for validation taking...’ [emphasis added]<sup>2</sup>. Although it is acknowledged by QQI at the consultation meeting that the criticisms were levelled at QQI also, this is not clear in the reading of the paper and nobody outside of the members present at the ETB consultation are privy to this clarification. ...*

*The negative contextualisation of existing agreements is based on seriously flawed analysis and does not reflect the achievement in migrating to CAS awards with no resources and no State investment. The negative tone does permeate through the document. ETBs are key strategic partners within the FET Sector for QQI and as such a tone in a document addressed to them does nothing to foster trust and respect which are key to underpinning the important collaborative relationship between statutory awarding bodies and statutory providers in particular.” (CDETB)*

### QQI response

QQI makes formal validation decisions based on policies and criteria that it has established. It is the QQI validation policies and criteria that is the target of the criticism in the white paper. QQI currently makes validation decisions with scant information and transparency at the programme level. The criticism was not intended to imply that ETBs were non-compliant with the legacy policies rather that the policies need to change.

Considering how validation is defined in statute, QQI is in an optimal position to analyse the effectiveness of the validation policies and criteria.

The white paper introduces significantly new validation policies and criteria because of concerns about the legacy policies and criteria.

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<sup>2</sup> White Paper on Validation Policy and Criteria, Section 2, p. 8

Incidentally, QQI can delegate authority to ETBs (and others) to make awards and with this goes validating authority. This is something that can be explored in the future. Until then QQI must validate ETB programmes leading to its awards and needs a solid basis for doing this.

The policy and criteria address all providers who would propose programmes to QQI for validation; nothing can be taken for granted in this context. Validation is a regulatory process and the tone that permeates the document is neutral (matter of fact) rather than negative.

**The critique of the legacy FET processes as outlined in the draft white paper is not included in the new policies and criteria for validation.**

## 4.2 CONCEPT OF A PROVIDER'S VALIDATED PROGRAMME

The white paper uses the concept of a provider as defined in the legislation.

*The concept of the ETB as a provider does not work here since the ETB does not enrol learners. Learners are enrolled by centres within an ETB.*

### QQI response

The concept of an ETB as a provider works on the basis that they are ultimately responsible for programmes and enrolling learners (and such like) even though they delegate functions to boards of management.

According to ETBI

*“ETBs are independent statutory authorities which have responsibility for education and training, youth work and a range of other statutory functions. ETBs manage and operate second-level schools, further education colleges, multi-faith community national schools and a range of adult and further education centres delivering education and training programmes.*

*One of the general functions of an Education and Training Board, as stated under the Education and Training Boards Act 2013, is to establish and maintain recognised schools, centres for education and education or training facilities in its functional area. In discharging this statutory function, ETBs delegate the management of recognised schools, further education colleges and centres for education to committees, known as Boards of Management, which are established under Ss44(i) of the 2013 Act and which are provided for in Part IV: Boards of Management of the Education Act, 1998.*

*Boards of Management are established as ‘sub-committees’ of the ETB Board and as such have no corporate or legal identity in their own right.” (email on 11/2/2016 in response to a QQI enquiry)*

The 2013 amendment<sup>3</sup> of the 2012 Act in effect identifies an education and training board established by section 9 of the Education and Training Boards Act 2013 as a provider.

ETBs are not exempted from PEL requirements however, an educational or training institution established and maintained by an ETB is exempt. This is indeed anomalous.

Section 44(9) of the 2012 Act is also noteworthy as it requires educational or training institutions established and maintained by an ETB to apply for validation in respect of each programme of theirs except where exempted under section 44(10). If the ETB is the provider and these organisations are not independent, then it might be argued that they have no programmes of their own as they are extensions of ETBs. If they do have programmes of their own they must have them validated by QQI unless exempted under 44(10). Validation is not regarded by QQI as transferrable! It would be logical for ETB's to be added to the list in Section 44(9) to resolve this anomaly.

### 4.3 MINIMUM INTENDED PROGRAMME/MODULE LEARNING OUTCOMES

The concept of minimum intended programme learning outcomes (MIPLOs) was discussed most notably at the ETB focus group. The ETBI response captures some of the discussion.

*“ETBI welcomes the clarification given at the focus group meeting that the intended learning outcomes referred to in the draft white paper are the ‘intended learning outcomes for the programme’ and not the specific learning outcomes outlined in the award specification. It is acknowledged of course that the intended learning outcomes of the programme must make sense in the context of the award standards but should not be directly prescribed by them, therefore a one-to-one mapping is not needed.*

*[...]*

*ETBI proposes that QQI should more clearly articulate this vision and acknowledge the shift in policy more explicitly in the new validation policy.”*

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<sup>3</sup> Section 52(2)(aa) inserted (26.10.2013) by Further Education and Training Act 2013 (25/2013), s. 51, S.I. No. 400 of 2013.

*“Further clarification is required if the new processes of validation will deviate from previous systems where LOs and methods of assessment were pre-determined by QQI at FE level. If the policy document is empowering providers to themselves determine their own LOs (to be approved by QQI), a situation that would bring FE awards in line with HE systems, this would be a very positive move particularly given how some of the current FE awards are badly worded and, as cited previously, are over-assessed given the need to summatively assess each LO through pre-prescribed criteria.” (Camilla Fitzsimons, Dept of Adult and Community Ed., NUIM)*

### QQI response

The white paper (Part 4 section 5.4) and policies and criteria for validation are sufficiently clear for their purposes. In broad terms, the formula is that the MIPLOs (determined by the provider of the programme) are consistent with the QQI awards standards. Further guidelines would, however, be provided on this in supporting documentation. Interpretation may also be discussed with the sector during implementation planning.

The policy objective is that programme LOs are determined by the provider of the programme and not predetermined by QQI.

## 4.4 INTEGRATION IN THE CONTEXT OF CAS

The white paper (Part 4 section 3.2 states):

***Compound programmes**, for the purposes of this document, are **modularised** integrated programmes leading to major, special purpose, supplemental, or professional awards.*

***Compound programmes** normally contain **modules** (small programmes within programmes) that frequently (but not always) lead to minor awards—this is influenced by the QQI certificate specification.*

***Compound programmes** are to be distinguished from mixture programmes defined merely by a mixture of discrete subjects or isolated minor programmes (see below).*

Some providers would prefer to envisage programmes to be entirely defined by the units.

### QQI response

QQI strongly supports modularised programmes and flexibility for learners.

However, a programme leading to a major award is required to have a coherence. Units need to be integrated. This is critical in programmes such as apprenticeship. It cannot be taken for granted. This is why major awards in CAS have overarching learning outcomes—learners need opportunities to achieve these and must achieve them if they are to receive major awards.

**The new policies and criteria for validation have sufficient flexibility to cope with strongly modularised systems where learners have significant choice.**

#### 4.5 NON-CAS QQI FET AWARDS

*“We are unclear as to what is meant by “other kinds of FET awards”? For example, if we were to write a level five programme, for example, in the field of dental or forensics outside of the CAS, with the support of the relevant professional bodies, could we submit it to QQI for validation under these new guidelines?” (Cavan Institute, CMETB)*

##### QQI response

*A relevant provider may make such a submission.*

*FET apprenticeship programmes will also lead to non-CAS FET awards.*

#### 4.6 COMPLETION OF A PROGRAMME

*“CDET B is of the opinion that rewording is necessary of the following statement in this section.*

*Validation by QQI is always subject to conditions that may include special conditions as defined in section (9). QQI will validate a programme where a provider has satisfied it (QQI) that an enrolled learner of that provider who completes that programme **will acquire, and where appropriate, be able to demonstrate, the necessary knowledge, skill or competence** to justify an award of QQI being offered in respect of that programme. Similarly, QQI will refuse to validate a programme where a provider has not satisfied it of this. If validation is refused QQI will give reasons for the refusal [emphasis added]”*

*CDET B is of the view that this should read ‘will be offered the opportunity to acquire, and where appropriate being given the opportunity to demonstrate the necessary knowledge, skill or competence...’*

### QQI response

This wording used in the white paper is from the legislation. The policies and criteria for validation have, incidentally, added commentary on the concept of completion.

Incidentally, the proposed rewording would not work because, for example, it does not make it clear that the award standard must be achieved by those who finish the programme successfully.

## 4.7 VALIDATION AND CERTIFICATION

Section 5.10 of the white paper deals with the link between validation and certification, and provider obligations.

*“QQI must check that all providers and centres are validated for programmes prior to any entry of learners for certification. There would appear to be insufficient checks at present between certification and validation.” (Cavan Institute, CMETB)*

### QQI response

The policies and criteria for validation place the onus on providers. In the context of a multicentre provider the validation criteria together with conditions of validation will restrict which centres can provide the programme. Quality assurance guidelines are also relevant in this regard.

## 4.8 REGULATORY VERSUS DEVELOPMENTAL APPROACH TO VALIDATION

Some providers would appear to wish for a validation process that is more consultative where a proposed programme that could not be validated at first could, during an extended validation process, be further developed to bring it over the line. For example:

*“The evaluation process is summative, restricting opportunity for formative dialog between QQI and providers in the preparation of submissions” (FIT)*

*“[...] Thereafter, the provider will have their programme approved or refused. Refusal is a written process in which the reasons for refusal are provided. However, there is no formal process for the provider receiving such a refusal to discuss the findings with QQI (or the IE) and plan for a resubmission. Their only recourse is appeal if they don't wish to give up or start afresh.” (FIT)*

### QQI response

QQI and providers would both wish that validation criteria were transparent; meaning that the requirements to be met before a programme could be validated were clear to all involved and consistently applied.

In principle, support could be given on a programme-by-programme basis after an application had been made but this would neither be efficient nor would it be the most effective way of providing support.

QQI considers that it has a role in helping providers understand its validation policies and criteria and their consistent interpretation by all involved. This role can be fulfilled by a range of initiatives including clearly written policies and criteria, the publication of guidelines in support of the policies and criteria, the training of evaluators, the holding of workshops for providers and evaluators, the publication of independent evaluation reports (on applications for validation) for all programmes submitted for validation, and the arrangement of other quality enhancement activities. These systemic initiatives would help raise general awareness and are a better alternative to coaching providers during the programme validation process.

QQI is confident that this division of effort where validation is a straight evaluation with a binary outcome and quality enhancement is separate from it, is not only effective but fairer and more transparent than the alternatives.

**Nevertheless, the validation process will not be implemented unreasonably. If an independent evaluation finds that a programme almost fully meets the validation criteria but needs some minor modifications, the independent evaluation could recommend that QQI validate subject to recommended special conditions that relate to the defects being corrected.**

Finally, QQI would if requested meet with an unsuccessful applicant following refusal in order to provide feedback as to the reasons for refusal. **The new policies and criteria for validation make this explicit.**

## 4.9 HE MODELS

Some held that the white paper applies a HE model that is unsuited to FET. The NAPD-FE response expresses concern that

*“the draft guidelines are pointing NAPD-FE schools and colleges operating in a HE approach to QA while knowing that the [HE] structures and supports are not in place’ ....”the general thrust of this paper will erode that flexibility, responsiveness...by imposing HE QA standards...”.*  
NAPD-FE

### QQI response

The validation policies and criteria are all aligned with the 2012 Act which applies to all domains (ELT, FET and HET). The development of the criteria was informed by international sources relating to English Language Teaching, vocational education and higher education.

At the level of generality of the draft validation policies and criteria, the criteria gleaned from these sources are remarkably similar. The unified approach is therefore not forced but natural. It is true that the resulting policy is closer to the legacy HET validation policy and criteria but that does not mean that a HE model applies.

QQI is confident in the unified approach to validation. The main changes envisaged by policies and criteria for validation are useful and the principles are sound—detailed work will be required on implementation and QQI has committed to providing time for this and working with ETBs in particular on a detailed implementation plan.

## 4.10 SHARED CURRICULUM AND RELATED MATTERS

Some have sought further clarification on programme sharing, collaborative programmes and related matters. For example:

*ETBI proposes that a distinction will need to be made between the development and availability of shared programmes to other providers i.e. school sector, and the quality assurance relationship, which ETBI considers would remain between these providers and QQI as the external statutory quality assurance body. (ETBI)*

### QQI response

The white paper sets down principles in regard to shared curriculums and **these are included in the new policies and criteria for validation**. One key principle is that validation is not transferrable. QQI

validates a provider's programme and if another provider wishes to provide a programme based on this a differential validation is required.

Nevertheless, a group of partner providers can come together as a **consortium provider** to have a single **collaborative programme** validated for provision by each of the partner providers. Additional specialised validation policies and criteria may be required but not necessarily.

If an ETB shares a curriculum with another provider and if QQI validates that other provider's programme based on the shared curriculum, the ETB does not necessarily have any QA obligations in respect of that provider. Other models of collaboration exist where there would be a QA relationship.

#### 4.11 DIFFERENTIAL VALIDATION

The white paper states (section 5.6)

*For example, differential validation applies when a change in a validated programme that is substantial enough to warrant revalidation would justify the findings of the original validation process being reused. A specific example of this is where a programme designed to be provided at one location is modified to enable it to be provided at another. The modifications might, in this case, be the changed teaching staff; the changed facilities and resources; and perhaps the changed quality assurance environment. If such a programme's curriculum and assessment remain unchanged they need not be re-examined in detail. The validation of the modified programme could focus on what has changed: the difference.*

Some fear that differential validation might be over used and required for every change to a programme.

Some were concerned by the examples given, for example:

*"As before, this would work fine for an Institute of Technology or a University, where facilities/resources are comparable, but, within a provider that has a multitude of different centres, facilities, resources and staff competences are not comparable across the various locations. Such providers may also procure contracted trainers to deliver a programme whose capacity may also vary widely from that specified in the original programme validation document."*  
(Cavan Institute, CMETB)

### QQI response

Whether differential validation is required when staff or a location changes depends on what was validated in the first place and whether the changes are material to QQI's validation criteria.

A programme may be proposed for provision at yet unnamed locations that meet particular specifications or by yet unnamed staff that meet particular specifications provided the applicant (provider) has QA procedures that allow this flexibility (e.g. ETBs would be expected to have such procedures). Differential validation would not be required where a programme is validated on this basis. This kind of flexibility will not be suitable for all kinds of programmes.

## 4.12 DEVOLUTION

*“ETBI proposes that the criteria through which QQI will devolve responsibility for validation and establish trust in the ETBs for this process will be agreed through the sectoral implementation plan.” (ETBI)*

### QQI response

QQI cannot devolve responsibility for validation except by delegating authority to make awards. However, it can devolve responsibility for certain validation sub-processes. If this is what is intended here QQI welcomes this proposal in respect of devolution to the ETBs. The discipline-area based approach to validation for providers of programmes leading to CAS awards (also a kind of devolution) is also relevant here.

QQI would also welcome discussions on a path to delegated authority but that is outside the scope of these policies and criteria.

## 4.13 SCOPE

There were some observations about scope.

### QQI response

The scope of provision as currently defined in the QQI policy “*Policy and Criteria for Provider Access to Initial Validation of Programmes Leading to QQI Awards (2013)*” is problematic as noted in the white paper. This is because, among other things, it defines scope in terms of programme characteristics. An alternative envisioning of scope is indicated in the white paper.

## 4.14 TRUST

Part 1 of the white paper states:

*Sometimes validation will require verification from first principles. At other times QQI’s experience of the applicant may warrant an approach that takes more on trust. What is taken on trust in the validation process will be indicated as having been taken on trust. What has been verified will be reported as having been verified.*

This and the notion of trust generated considerable interest at the meetings. The idea seemed to be popular. During the meetings with stakeholders QQI acknowledged that while this principle was clear it had not yet developed ‘algorithms’ to determine trust and how to factor trust into moderating the evaluation process. Trust also plays a role in the devolution of responsibility for arranging an independent evaluation report and there are explicit provisions for this.

One provider group (JFERG) indicates that aspects of the proposed criteria for validation indicate little trust.

### QQI response

Trust in the context of this policy is not a binary concept. Trust in a provider can vary in time and with the kind of programme involved. The policy and criteria need to be able to cope with all kinds of providers from the least trustworthy to the most. Examples of where trust is a factor are devolution of responsibility for the development of the independent evaluation report and the discipline-area based approach to validation for providers of programmes leading to CAS awards (also a kind of devolution).

Part 2 of the white paper introduced a principle of trust-based moderation of evaluation though it did not elaborate how this might be implemented. Noting provider’s interest in this concept QQI plans to explore the possibilities.

#### 4.15 MINOR PROGRAMMES IN THE CONTEXT OF CAS

The white paper (part 4, section 3.3) states (exactly as it is presented in the white paper including the emphases):

*Minor programmes, for the purposes of this document, are programmes leading to one or more minor awards where the provider **does not provide** a corresponding **compound programme** that leads to a CAS award. As noted in section (3.2), the term module is used for sub-programmes leading to minor awards in the case where the provider provides the compound programme.*

*QQI will accept applications for the validation of **minor programmes**. However, there is some doubt about whether **minor programmes** should continue to be validated at all in the longer term because it is difficult to validate such programmes meaningfully in isolation from a **compound programme**. Validation is simplified when a provider of **minor programmes** collaborates with other providers who can collaboratively provide a relevant **compound programme**. However this is not mandatory.*

Many expressed concern about the expressed doubts in the white paper about continuing to validation minor programmes. For example:

*“If validation of minor programmes is not possible, this will represent a significant barrier to entry for potential providers and may also undermine the viability of existing providers.” (FIT)*

Some might have misinterpreted that programmes leading to a minor award are “minor programmes” and that QQI is contemplating cessation of validation of such programmes.

Some responses also indicate some misunderstanding of the precise difference between a programme and an award e.g. referring to “validation of minor awards”.

#### QQI response

Minor awards have a long-term future. They will continue to be made by QQI and validation will support this.

The doubts in the white paper relate to how modules are validated and not about the possibility of learners being offered discrete modules leading to minor awards. If a provider has a validated programme leading to both minor and compound CAS awards the white paper envisages that they would be able to offer learners discrete modules of that programme that lead to minor awards assuming the

programme is designed to enable this. Note that a minor award does not have to be associated with a single module, for example, the standard of achievement required for a particular minor award might be intended to be acquired through completion of all the modules of a programme or several of them or just one.

The 2013 validation process, as implemented, already required providers to identify a target major CAS award when applying for validation of what would be called a ‘minor programme’ leading to a component award.

There needs to be further discussion with stakeholders about CAS minor awards in the context of programme validation. As envisaged in the white paper “minor programmes” will continue to be validated. The situation will be reviewed following discussions with stakeholders.

**The new policies and criteria for validation do not include the expression of doubt from the white paper about the future of “minor programmes”.**

It is also clarified that a provider may propose a programme leading to a non-CAS award and involve one or more CAS minor awards and in this case the minors can be drawn from different compounds—such a programme would not be considered a minor programme.

#### 4.16 ALIGNMENT WITH CAS STANDARDS

The white paper states (part 4, section 5.4(d))

*The programme leading to a compound award cannot be completed unless the learner has demonstrated all of its expected learning outcomes (those of the compound award itself in addition to those of the required minor awards).*

This is seen as a change in practice for the FET sector.

#### QQI response

This statement is a consequence of the standards-based qualifications approach envisaged by the 2012 Act. It is consistent with section 3.7 of QQI’s *Policy and Criteria for Making Awards* (2014) and sections (3.1a, 3.1c, Annexe 3.1a, 3.1b, and 4.6) of its *Policy for Determining Awards Standards* (2014). Though

it is not stated as explicitly in these documents. The legislation is clear on the threshold nature of standards and the requirements to be met before an award is made.

A programme may be designed so that completion of the modules both ensures the entitlement to component and compound awards. However, this will not necessarily be guaranteed (though it might be) where the provider has only sought to meet the requirements of the component award specifications and the compound awards specification's 'certificate requirements'.

The policies and criteria for validation envisage that a provider will use the standards intelligently rather than unquestioningly or slavishly. The provider is expected to determine 'minimum intended programme learning outcomes' (MIPLOs) that are consistent\* with the applicable QQI standards.

*\*Note, the white paper used "aligned with" in the core part and "consistent with" in the CAS-oriented part. "Consistent with" is now used in both parts in the new validation policies and criteria.*

The policies and criteria for validation do not expect a one-to-one mapping between awards standards and MIPLOs. In other words, if the award specification has N expected learning outcome statements (ELOs) it is not expected that there must be N corresponding statements in the MIPLOs—there may be fewer or a greater number. However, it is expected that the MIPLOs taken as a whole are aligned with the applicable award standard's ELOs taken as a whole. QQI's awards standards are not therefore expected to be used as assessment criteria.

From many discussions, we know that there is a prevalent view among FET providers that it is sufficient to assess learners against the learning outcomes specified in the standard for the award sought and that where such a learner achieves a pass mark in such an assessment they should receive the award. This is not necessarily correct. It would be correct if the pass mark could only be achieved if all of the learning outcomes specified for the standard (or another set of LOs aligned with the standard) were achieved.

The FET sector will need to increase the emphasis on minimum intended programme learning outcomes and the implementation of threshold standards based on learning outcomes.

However, this understanding needs to further be developed with the FET sector in the context of planning the implementation of change to QA, validation, assessment, standards and the CAS. Time will be required to transition.

#### 4.17 COMPULSION TO USE CAS

The white paper (section 8.2) states:

*Providers of FET programmes proposed to lead to QQI awards would be expected to use the CAS unless they have QA procedures that enable them to develop intended programme learning outcomes using broader standards or NFQ award-type descriptors. They would also need to present a compelling rationale for not using CAS.*

*“CDETБ would resist any attempt to fetter its ability to use non QQI awards.”*

#### QQI response

The ‘compelling case’ statement is expressed in the context of a document on applying for QQI validation and therefore a provider is assumed to be seeking a QQI award.

Incidentally, an educational or training institution established and maintained by an ETB (though not ETBs themselves) are subject to section 48 of the 2012 Act which states that they

*“may enter into an arrangement with an awarding body other than the Authority to provide, organise or procure a programme of education and training where—*

*(a) completion of the programme by an enrolled learner and the attainment by the learner of a specified standard of knowledge, skill or competence upon such completion entitles the learner to an award of the body, and*

*(b) the award of the body is recognised within the Framework”*

QQI has already set out its vision for an open qualifications system where it would not be a monopoly provider (Qualifications systems and related concepts – a QQI background paper May 2013)<sup>4</sup>. QQI’s current lack of explicit legal power to ‘recognise’ is problematic in this regard.

#### 4.18 IMAGINING THE NEW APPROACH IN THE FET SECTOR

Some observed that the supporting documentation outlined in Part 2 has not yet been published.

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4 <http://www.qqi.ie/Publications/Qualifications%20Systems%20and%20related%20concepts.pdf>

Others seem to have difficulty imagining the implications of the white paper in light of their experience of the existing FET approaches.

### QQI response

There is section on transitional arrangements in the new policies and criteria for validation.

The work on implementation planning; the development of supporting documentation; and quality enhancement activities will all assist in creating a clear shared vision for qualifications and quality assurance arrangements under QQI's influence.

## **4.19 SUPPORTING GUIDELINES AND SUCH LIKE**

Some have asked about guidance on making applications (e.g. preparing a self-evaluation). Some have made specific suggestions on what information should be included with an application.

### QQI response

QQI will prepare detailed guidelines on preparing applications for validation as has been the practice. It will consult with stakeholders in the development of these guidelines.

The response to 4.8 is relevant to this.

## **4.20 PROGRAMME AND SUPPORTING DOCUMENTATION**

It has been observed that some of the supporting information required with an application for validation would be addressed by QA procedures.

### QQI response

QQI is looking for programme-specific information and this may involve specialisation of more generalised QA procedures.

## 4.21 SELF-EVALUATION

There were mixed views on self-evaluation.

*“TUI welcomes the reference in section 3 to all providers engaging in self-evaluation” (TUI)*

*“As self-evaluation is used within different contexts and scopes, ETBI proposes that it would be helpful for QQI to map the different levels, scope and scale of self-evaluation across the different policy and guidelines documents.” (ETBI)*

### QQI response

QQI would be happy to discuss this mapping with ETBs.

## 4.22 BURDEN OF VALIDATION

The burden of making a validation application as envisaged by the white paper is of concern to some. For example, there is a concern that the volume of information would

*‘tie up more resources and consume more of our budget’ (First Polymer Training Skillnet).*

Another group of providers (JFERG) indicated that a broad plan should be sufficient to meet the requirement for validation, and that the preparation of ‘sample assessment tasks and materials’ in advance of validation ‘while desirable’ will place ‘very serious resource issues on providers’.

NALA observed that the documentation required

*“may place an unduly heavy burden on the resources of community and voluntary providers in particular”.*

There is a concern that the validation policy may have a disproportional impact on community education providers (e.g. see the LWL response).

Other indicative concerns include:

*“We are concerned that the “White Paper [...]” will make QQI-accredited training considerably more onerous and in many instances impractical to deliver” (Skillnets Certification Group (of Network Managers)).*

*“We believe the introduction of excessive restrictive policies and procedures, in a reaction to the failings of the original common awards system, will make training under the Irish awards system inoperable and too expensive for the average man in the street. This will in training reverting to the situation in the 80s and 90s where the majority of private providers training was unaccredited or accredited by UK organisations.” (Paramount College)*

*“FIT strongly supports QQI’s initiatives to develop robust quality assurance procedures which will protect the interests of learners and employers alike. Learners should be assured that the vocational education they receive has been properly devised, professionally delivered, fairly and consistently assessed and will assist them to secure and retain employment. Employers should be confident that certificates presented to them by learners reflect the acquisition of knowledge, skill and competence that will make that learner productive in the discipline-area concerned.*

*We find these policies and criteria to be very comprehensive indeed and we commend the thoroughness of the approach insofar as it has been documented (mindful that there are many aspects of the approach that are “planned” and are not currently available for review).*

*We do however have some concerns arising from the Policy and Criteria, foremost among which are:*

*~ Voluntary providers, particularly those in FE, will find the process too expensive, overly complicated, time-consuming and excessively bureaucratic to engage with, and may begin to withdraw from providing QQI-certified training and will either search for alternatives or cease providing training altogether. The consequence may be reduced programme choice and possibly a decline in regionally-based training. For those that do persevere, the increased cost of QA in terms of fees and compliance effort, will inevitably lead to passing charges on to learners and employers, resulting in increased training costs.*

*~ ...”*

*[...]*

*We believe it is important to identify those elements of the White Paper which may act as disincentives to training providers such as the ETB’s, SOLAS and the voluntary/private training providers which could lead to reduced certification levels*

*[...]*

*The intent and rigour of the processes described in this White Paper (notwithstanding the current absence of a number of proposed supporting documents) is commendable. However, **there is an overwhelming sense that providers in the FE sector are not resourced to provide the level of detail required to provide evidence of compliance with the 95 criteria and sub-criteria associated with the 12 criterion statements of the Core Criteria (and any additional specialised criteria which may apply).**” (FIT (Fastrack to IT))*

There is some concern that QQI expects the programme to be fully developed. This is not explicitly stated in the white paper but implied. The topic was also discussed at briefings with providers. Some regard this as unrealistic.

### QQI response

QQI accepts that the burden of validation needs to be sustainable by providers offering programmes of acceptable quality. On the other hand, the validation policies and criteria must be capable of discerning those programmes that ought, and ought not to be validated, and of defending its determinations.

QQI requires little that cannot be reused when providing the programme. If it is a burden to provide this information to QQI for validation it will consequently be less of a burden to implement the programme. QQI does not accept that the burden of validation is unreasonable in this context.

There are some providers who might wish to secure validation just in case they wish to develop a programme for provision. They would be better to wait until they are sure they wish to provide the programme.

There are other providers who would not wish to invest in the development of a programme until they are sure that QQI will validate it. This might be understandable if validation were an unpredictable process but the new policies and criteria for validation are designed to be transparent and clear in the requirements that must be met.

Regarding the state of development of a programme, it is important to note that QQI validation is a regulatory function and there needs to be sufficient evidence that the programme warrants validation. QQI needs to see a detailed specification of the provider's programme to validate it. (Recall how validation is defined in statute.) An outline is not sufficient for a meaningful validation process.

Access to NFQ awards through quality assured programmes imposes an overhead on providers. Very small providers may not be able to sustain this overhead when working in isolation but they might be able to formally collaborate with other providers in such a way that the overhead is shared and provision becomes sustainable. See the QQI response to 4.10 for more on this.

**The new policies and criteria for validation provide a little more flexibility than the white paper. The programme is expected to be developed to the point that it is ready to be offered to learners. Detailed information is required, not just an outline. The validation criteria must be addressed.**

The new policies and criteria for validation clarify that proposed programmes may be marketed to learners before validation following acceptance of a completed application as long as it is made clear that the programmes are offered subject to being validated by QQI.

#### 4.23 OVERLAP WITH SOLAS'S FARR REQUIREMENTS

One provider group (JFERG) has noted an overlap between the information sought by SOLAS for funding (e.g. engagement with employers, identification of potential learners, and the staffing capacity) and the information sought for validation.

##### QQI response

QQI's interests overlap with SOLAS's but not entirely. The validation application information requirements overlap is not surprising but the uses to which the information is put may be different. Moreover, QQI criteria that appear to resemble SOLAS criteria may be significantly different.

Nevertheless, in principle QQI would be happy to facilitate a harmonised approach to the provision of information supporting applications for validation. This can be explored during implementation planning.

#### 4.24 TIME REQUIRED TO GET A PROGRAMME VALIDATED

The white paper states (section 10)

*QQI aims to determine applications for validation within 25 weeks of receiving a complete application (including the correct fee) assuming no supplementary documentary information is required to determine the application.*

This time is regarded as excessive by many who would like to see it reduced.

##### QQI response

Sufficient time needs to be allowed for the evaluators to read the application (3 weeks is reasonable); sufficient time needs to be allowed to assemble a team of evaluators (up to 3 weeks); the decision making committee meetings may be up to 12 weeks apart; following the site visit sufficient time needs to be allowed for the compilation of the report and for the applicant to make a response (3 weeks is

reasonable); when many applications arrive at the same time a queue must be implemented owing to QQI's finite capacity. The 25 weeks in the white paper is an upper limit.

Validation is typically much faster than this and QQI intends to publish data on the actual time taken to process applications. However, for the purpose of planning providers need to be aware of the worst case scenario—this is 25 weeks.

QQI will work to try to reduce this significantly by for example recruiting more FET evaluators but for the time being 25 weeks is a realistic outer limit.

#### 4.25 CRITERIA

The following comment on criteria is noteworthy

*“There is a confusing use of language in relation to these criteria: on the one hand the introduction to these criteria state “The criteria are written as statements that are expected to be true” [Section 19. P54] and at the same time it states that “Applicants should note that validation may be refused if any one of the applicable criteria are not demonstrated to be satisfied” [Section 19. P55] (This implies mandatory compliance with all 95 criteria and sub-criteria, but does not use the word mandatory (instead using a combination of “expected” and “may”). If compliance with all criteria is, in essence, mandatory, this puts a significant pressure on providers to satisfy each criterion to the letter and the following list provides an indication of some of the concerns that these criteria raise.*

*[...]” (FIT)*

*“Criterion 19.1. Intellectual Property. The provider is now asked to confirm that it “owns or is otherwise entitled to use the property (including intellectual property, premises, materials and equipment) required to provide the programme” [Section 19.1 (d). P56]. There is no mention of provider “property” (intellectual or otherwise) in the 2012 Act and it is difficult to see how or why QQI should have a role in this at all.” (FIT)*

*“However, this White Paper states that the provider is expected to have “procedures and criteria for the recognition of prior learning for the purposes of access and advanced entry to the programme and for exemptions”. It now appears to be mandatory for the provider to have RPL processes in place.” (FIT)*

### QQI response

First of all, the criteria are the basis for evaluators making a recommendation and for QQI making a determination. A particular criterion may be critical in one context but less so in another because of some compensating factor.

**Regarding the intellectual property (under criterion 1 in the white paper), in the new policies and criteria for validation, we have removed this criterion from eligibility for other reasons that those cited here.**

**Regarding RPL (under criterion 4 in the white paper), in the new policies and criteria for validation we have** *“The programme includes suitable procedures and criteria for the recognition of prior learning for the purposes of access and, where appropriate, for advanced entry to the programme and for exemptions.”*

## 4.26 PROGRAMME STAFFING

The white paper makes references to staff (involved in the provider’s programme), e.g. the required supporting information for an application includes ‘CVs for the programme’s key staff’; and criterion 19.6 states that *“There are sufficient qualified and capable programme staff available to implement the programme as planned.”*

There are concerns that QQI is expecting providers to have all staff in post prior to applying for validation. This is of particular concern to providers who rely on contract instructors (e.g. see AONTAS, LWL and Paramount responses), professional service companies or second providers that they would wish to engage after the programme would be validated by QQI.

*“Should the request for CVs for staff be replaced by minimum requirements for staff involved in programmes” (Camille Fitzsimons, Dept. of Adult and Community Ed., NUIM)*

*“[Including CVs for programme’s key staff] may be valid for ETBs and other organisations that rely on permanent full time staff for the delivery of programmes. There are many other providers (including Skillnet networks) who don’t use this model and, in fact, usually procure their providers every 2 years. There should be no reason why certain criteria for trainers for the programmes being offered could not be supplied, e.g. x number of years’ experience/a qualification in the field to be delivered and a qualification/x years’ experience in training provision (and in our case experience of working with the target audience, i.e. SMEs)” (ISME)*

### QQI response

The quality of a programme of education and training is likely to depend strongly on the staff providing education and training and related services.

The staff may even be intrinsic to the programme. At the very least QQI needs to know what precise criteria will be used for selecting the programme's staff.

A provider submitting a programme for validation should be expected to have key staff in post (or identified) who can manage the provision of that programme. It is reasonable to request their CVs as they are 'key' to the programme.

For some kinds of programmes where staffing is critical and staff with the required qualifications are scarce e.g. research degree programmes, a critical mass of staff (key staff) may need to be assembled and in post before a programme can be validated.

**The new policies and criteria for validation provide more flexibility than the white paper. See criterion 17.6 for example.**

## 4.27 STAFF PERFORMANCE

The white paper (section 19.6(c)) states

*Staff performance is reviewed and there are mechanisms for encouraging development and for addressing underperformance.*

A number of questions about the scope of this were raised. One group (JFERG) pointed out that there are HR issues that QQI needs to be mindful of.

*"TUI is unable to express support for section 19.6 without knowing what is meant by "staff performance is reviewed and there are mechanisms for addressing underperformance"..." (TUI)*

### QQI response

QQI is not prescribing how performance is reviewed nor how staff are developed; those are matters for providers. This criterion is about QQI being satisfied that the programme's staff are in a position to

remain up-to-date on the discipline, on teaching methods or on other relevant skills or knowledge to the extent that this is necessary for an adequate standard of teaching and learning.

QQI understands that there are sensitive HR issues involved and respects this. It must nevertheless ask the question in respect of the programme-specific arrangements.

#### 4.28 PROGRAMME LOCATIONS

The white paper states

*Providers that offer programmes at multiple locations (centres) must have QQI approved quality assurance procedures that cover the centres.*

*When such a provider applies for validation it must specify all the centres at which the programme will be provided and the precise criteria for enabling additional centres to be added to the list.*

Some expressed concerns about location-related restrictions on programmes. This may owe partly to section 5.4 on differential validation where location change is envisaged as a possible cause for the need for a differential validation.

Some expressed the view that the policy assumed a HE model with a single main campus and large centres. The Cavan Institute (part of CMETB) analysis is particularly clear on the difficulties of involved in managing a heterogeneous collection of centres.

#### QQI response

The white paper is open to providers being able to add locations without the need for (differential validation) when this flexibility has been foreseen in the approved QA procedures and in the design of the programme. This flexibility is certainly not always appropriate and a change of location may indeed require a differential validation. Naturally, the details will require elaboration but not in the policy document.

**The new policies and criteria for validation provide sufficient flexibility to address the concerns while ensuring QQI has the information it needs. See criterion 17.7 for example.**

Regarding the management of a heterogeneous collection of centres. This is one of the central challenges for ETBs. The new validation policies and criteria set out the expectations concerning programmes leading to QQI awards. QQI is confident that there are ways of meeting the validation criteria in the ETB context and that the criteria are the right ones. Naturally, at this stage the implementation details have yet to be worked out fully by the ETBs and it will take time to do this.

#### 4.29 TRANSNATIONAL PROGRAMMES AND INTERNATIONAL EXCHANGES

The relevant quotations from the white paper are reproduced here. Note the underlined parts.

*FDL provision will be restricted to learners in the Republic of Ireland unless the scope of provision extends to transnational provision. (Section 7.6 of the white paper)*

*A programme is validated for provision in specific countries<sup>5</sup>. Unless otherwise indicated on the certificate of validation, validation is restricted to programmes provided from the Republic of Ireland to learners based in the Republic of Ireland. If a new country is to be added to this set the modified programme requires validation.*

*Specialised validation policy and criteria for transnational programmes will be provided separately, see section (4). (Section 7.7 of the white paper)*

Some sought clarity concerning student exchanges e.g. the EU Erasmus+ programme.

#### QQI response

International exchanges of individual learners are consistent with the new validation policies and criteria where providers have suitable quality assurance procedures and the programme is designed to accommodate such exchanges.

Transnational programmes are also possible under the new validation policies and criteria but these require far more elaborate arrangements than would typically be required to facilitate student exchange.

It is planned to develop specialised validation policy and criteria for collaborative and transnational programmes and for programmes leading to joint awards. This will provide the necessary clarity.

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5 Country for the purposes of this document can be construed as territory of a sovereign state or jurisdiction.

### 4.30 SAMPLE OF ASSESSMENT MATERIALS

Some have questioned the requirement for sample assessment materials and model answers.

#### QQI response

The purpose of seeking this material is to help determine the level of achievement required to pass the programme. Unfortunately, intended learning outcomes statements can be interpreted in surprising ways and therefore need to be checked against other evidence. Assessment materials can be particularly useful evidence.

### 4.31 TACIT CRITERIA AND HE STANDARDS

*“clear policy is required on the circumstances in which various awards and levels can be used, specifically that of level 8 awards using business and science standards. A clear rationale should be made available as to why, when programme learning outcomes meet the standards, the duration of the programme is deemed to have an influence. As it stands a 3 stage programme mapped to the business standards at level 8 of the NFQ must be awarded a Bachelor of Arts.” (NCI)*

#### QQI response

This is mainly an awards standards determination matter. There is, for example, a tacit criterion supported by custom and practice that a fulltime B.Sc. (Hons) programme should take four academic years. QQI accepts that such criteria should be explicit.

### 4.32 MAXIMUM AND MINIMUM NUMBER OF LEARNERS

*7.2 (c) setting a minimum number of learners again disadvantages community education. The expertise and person-centred approaches adopted by these providers often require small class-sizes particularly where learner need relates to literacy, numeracy and personal development. (Camilla Fitzsimons, Dept. of Adult and Community Ed., NUIM)*

### QQI response

The section on the certificate of validation includes a statement that the certificate *may* include salient characteristics of the validated programme such as... 7) Centres for provision (with maximum and minimum numbers of learners).

This listing is indicative rather than prescriptive. If it makes sense to specify a minimum number of learners required to make the programme viable this would be included.

See also the QQI response in section 4.13.

## 4.33 LITERACY AND NUMERACY

NALA made some recommendations concerning the integration of course-related language, literacy and numeracy support. It also recommended specifying that assessment design should present no unnecessary literacy barriers to evidencing achievement of learning outcomes.

The white paper (19.4b) guides an English language competence for access to higher education. There is no specific guidance for further education. One noted:

*“It would be useful to also include an indicative English language competence standard required for participation on programmes written at levels 5 and 6, since prospective learners who are not native speakers of English need to know what the basic level of language competence should be in order to participate. We would like to include such on marketing materials, etc. (Cavan Institute, CMETB)”*

### QQI response

Criterion (17.)9e is already intended to address the full range of supports required and that may include language, literacy and numeracy support.

*Individualised guidance, support and timely formative feedback is regularly provided to enrolled learners as they progress within the programme.*

**A footnote has been added to the new policies and criteria for validation to clarify that this includes language, literacy and numeracy support.**

Concerning the recommendation on assessment: the requirement for fairness already implies this. Rather than elaborating in the validation criteria, QQI is of the view that more detailed guidelines are required on assessment and intends to provide these separately (assessment guidelines, conventions and protocols).

**The white paper envisaged that there would be Assessment, Conventions and Protocols on the basis that the Statutory (Core) QA guidelines included guidelines on assessment. Now that guidance on assessment in the final version of the Core QA Guidelines has been pared back the new policies and criteria for validation make reference to Assessment Guidelines, Conventions and Protocols. The section on transitional arrangements is relevant too.**

Regarding the language competence for participating in NFQ level 5 and 6 programmes, this is something we can discuss with the FET sector (representatives).

#### 4.34 REVALIDATION

Some made observations on revalidation.

##### QQI response

QQI will need to provide detailed guidelines on revalidation. In the FET sector the due date for routine revalidation might usefully be extended in many cases to enable the introduction of the new validation policy. This can be addressed in implementation planning.

See the QQI responses in sections 4.43 and 4.47 and 4.48.

#### 4.35 EVALUATOR COMPETENCE

Section 9.1 of the white paper addresses independent evaluators and their competence.

*Evaluator expertise. There may be one or more evaluators assigned to a validation based on the scope of the application. Must the evaluator/evaluator group be qualified to evaluate all aspects of the programme? The term “discipline area” [Section 9.1. P32] is used but does that mean for example, as broad as “ICT” or as specific as “Object-Oriented Programming”? (FIT)*

### QQI response

The white paper and the policies and criteria for validation are considered sufficiently strong without being over prescriptive. Additional guidelines may need to be developed as experience in implementing the policy develops.

## 4.36 EXTERNAL EVALUATOR TRAINING

One respondent (submission not for publication) called for measures to ensure evaluators are trained and act consistently. This respondent questioned the inaccuracies and inconsistencies of current evaluators (in the context of FET).

### QQI response

QQI accepts that evaluators need careful selection and require training and support to ensure accuracy and consistency. QQI plans to address this.

## 4.37 EVALUATOR CONFLICT OF INTEREST

*“Evaluators must be independent of the programme and its providers e.g. free of conflicting interest.” [Section 9. P32]. However, it is not clear who defines and arbitrates on conflict of interest and does the provider have any say? (FIT)*

### QQI response

This kind of detail can be addressed during implementation.

Section 6.1 of the new policies and criteria for validation has been slightly changed in other respects with respect to the white paper.

## 4.38 INDEPENDENT EVALUATION REPORT

*“There is a danger if reports are not configured correctly that an independent evaluator will de facto be making the decision on the programme approval if they are not careful in terms of how*

*the report is presented. This is a sensitive area to which there is much judicial precedence from the justice system where experts are routinely used; essentially their opinion is supposed to inform a decision not go so far as to make a decision.” (CDETb)*

### QQI response

This point is well made. However, the white paper and the new validation policies and criteria are adequately clear on these matters.

Further guidelines will be developed to support the evaluators and providers with devolved responsibility (e.g. reporting templates).

## **4.39 UNPREDICTABILITY OF THE CURRENT FET CAS PROGRAMME VALIDATION PROCESS**

Some noted the unpredictability of the current QQI FET validation process and are concerned that more criteria could lead to even greater inconsistency.

### QQI response

QQI accepts that there have been some consistency problems with the FET CAS programme validation policy and its implementation. It is already working systematically to resolve these and this work will continue with the implementation of the new policies and criteria.

## **4.40 PUBLICATION OF VALIDATION REPORTS AND CONFIDENTIALITY OF APPLICATION SUBMISSIONS**

One respondent expressed concern at the publication of

*“validation applications, PAEC/PAOC outcomes and associated documentation”.*

The NAPD sought a guarantee concerning what can be released under FOI.

*IER publication. “It [the IER] will be published after the closure of the appeal period unless the validation decision is appealed in which case the report will be published if the appeal*

*is unsuccessful” [Section 10.2. P37]. When an IER is published, it is not clear exactly what information will be published. In any event, QQI will publish both successful and unsuccessful applications. Why publish unsuccessful ones? “Washing dirty linen” will only either (a) discourage applications or (b) compel providers to appeal. (FIT)*

### QQI response

The new validation policies and criteria provide for the publication of independent evaluation reports. The publication of committee-related information is a different matter and not governed by the validation policies.

There is also provision for the publication of exemplary self-evaluation reports but only if the provider gives permission.

QQI considers that the advantages of publishing reports, including those where validation has been refused, outweigh the disadvantages.

Section 8.7 of the white paper is explicit concerning confidentiality and its limitations under FOI. QQI is not able to provide guarantees on what might have to be disclosed under FOI legislation.

## **4.41 PROTECTION FOR ENROLLED LEARNERS (PEL)**

A number of providers have expressed difficulties with securing PEL arrangements that meet with the requirements of the 2012 Act.

Two (including the Skillnets Certification Group) questioned whether PEL applies if there is no charge for the programme until after the programme has completed.

### QQI response

PEL arrangements are regulated by the 2012 Act and not by the validation policy and criteria. QQI is aware of providers’ difficulties in making the necessary arrangements experienced especially by HET providers but also by some FET providers. QQI has made the Department of Education and Skills aware of the difficulties and is exploring the possibility of amendments with the Department. In the meantime, it is attempting to make the best of the situation. Significant progress has been made in recent weeks.

Incidentally, where there is strictly no fee charged to any learner enrolled on a programme (and there is no liability to future payment of any fee) until after it has completed, QQI is of the view that PEL arrangements might not be required under the 2012 Act. This will need to be considered carefully.

#### 4.42 TRANSFER OF VALIDATION IN THE CONTEXT OF PEL, MERGER OR ACQUISITION

*Consideration should be given to the transfer of validation in special circumstances where learner protection measures have been invoked and only for the period of allowing enrolled learners complete an existing programme. (NCI)*

##### QQI response

Validation as understood in the white paper cannot be transferred from one provider to another.

**However, policies and criteria for validation include two new sections. One (12.4) deals with validation arrangements to facilitate learners to complete a programme in the context of teach-out as part of a PEL arrangement. The other new section (12.5) deals with merger and acquisition implications for validation.**

#### 4.43 VALIDATION IMPACT OF CHANGING AN AWARD STANDARD

The white paper (section 11.3) states

*Validation is for **five years of enrolment** unless another period is explicitly indicated **on the certificate of validation** by QQI or the QQI award standard changes. It is a condition of validation that the programme does not enrol any new learners outside this interval.*

One FET provider (CMETB) called for the harmonisation of revalidation with a review of awards standards. One HET provider (Griffith College) suggested a mechanism for managing the 'migration' of programmes to the new standard.

##### QQI response

QQI would be happy to explore what can be done to harmonise revalidation and the review of FET awards standards in particular.

#### 4.44 APPEALS

*“Appeals procedures. The QQI website does not appear to have a published Appeals Procedures. There is a link to the Statutory Instrument (S.I. No. 503 of 2014) which just defines the legislative framework for appeals, but this could not really be described as a QQI procedure.” (FIT)*

##### QQI response

An appeals procedure is in place and the documentation has since been published on the QQI website.

<http://www.qqi.ie/Pages/appeals.aspx>

#### 4.45 GLOSSARY

A number of respondents have suggested that a glossary be included.

##### QQI response

**An index (rather than a glossary) may be prepared.**

#### 4.46 DOCUMENT REPOSITORY

*The exact process flow is not clear and the inclusion of a flow and other diagrams to illustrate the sequence and interactions between the processes and key stakeholders would be helpful.*

*[...]*

*Document Maps. Identify all relevant QQI validation-related documents (and the documents they replace). QQI have produced a large quantity of documents in recent years. White & Green Papers, policies and criteria, policy restatements, templates (pro-forma) etc. Along the way other documents have been superseded or rescinded, others are work-in-progress and still more are “planned”. It is very difficult for stakeholders to distinguish which documents are current and applicable. It would be helpful for QQI to provide document maps for all major processes: initial engagement, re-engagement, validation (and re-validation), PFel, ATP (including RPL) etc. (FIT)*

### QQI response

QQI agrees that it needs to present the QA guidelines and policy documents more coherently and will do so.

#### 4.47 FET IMPLEMENTATION PLAN

QQI indicated to the ETB representatives, during the focus group meeting on 10 February that it proposed to work with them on the development of an implementation plan that would address among other things the introduction of the new validation policy and criteria. This is acknowledged in the following extracts from ETBI and CDETB:

*“ETBI acknowledges and welcomes the commitment from QQI given at the focus group meeting that an implementation plan and timeline for the new validation policy would be developed in close collaboration with the sector, and that sufficient time would be given to the sector to transition from existing process to implementing the new validation policy and criteria, this is critically important. ETBI also welcomes that this development process will include tripartite discussion between QQI, SOLAS and ETBI to ascertain the link between QQI policy and criteria and SOLAS approval process. The broad principles and approaches set out in the policy document will need to be worked through with all of the key stakeholders in a sectoral implementation plan.*

*Section 4 of the White Paper makes reference to the potential development of other specialised validation policy and criteria and other documents i.e. assessment conventions and protocols which may augment the policy. ETBI would be concerned that such documents would create an overly regulatory approach to validation, but accepts the reassurance given by QQI at the focus group meeting that any new sectoral protocols and guidelines for the ETBs would be agreed and developed in collaboration with the sector as part of the implementation plan.*

***ETBI is reassured that an implementation plan for the new policy will be developed in collaboration with the sector and that existing validation processes will remain stable until such time as this plan is agreed and implemented.” (ETBI)***

*“CDETB, welcomes being part of a detailed implementation plan for the new Validation Policy and Criteria as proposed by QQI and agreed to by the Sector at the consultation meeting held on the 10th of February last. CDETB reserved the right to raise further issues and request further clarification as part of that process to those contained within this response document.*

*CDETB, notes from the sector consultation that the implementation plan will be based on ETBs having devolved responsibility and that every ETB centre will not require a separate validation*

*application even when they are being added as certification centres post validation. CDETБ, regards these assurances as very positive.*

*CDETБ, takes the view that the final version of the Validation Policy and Criteria upon which the implementation plan is to be predicated should take appropriate cognisance of the issues raised in this response paper. The Validation Policy and Criteria and the implementation plan to be based upon it should support the FET sector in achieving policy goals for the sector at both EU and National level to ensure and enhance quality outcomes for FET graduates.*

*An implementation plan alone will not be able to address or sufficiently remedy conceptual issues within the Validation Policy and Criteria itself that hinder the sector achieving government policy goals in the area. Harmonisation of QQI policy goals in the area of validation and policy goals of the FET sector should be reasonably achievable within the implementation plan.” (CDETБ)*

### QQI response

QQI will work with the sector on the implementation plan.

QQI has carefully considered the feedback on the white paper and made significant changes as a result. The main ones are outlined in this paper.

QQI is confident that the new policies and criteria for validation are a solid basis for progressing.

## 4.48 TRANSITION TO COMMENCEMENT OF THE NEW POLICY

The white paper (section18) states that

*Sufficient time will be allowed for providers to transition. Full implementation no sooner than September 2016.*

Respondents would like more information on timelines for implementation. For example:

*It is not clear how long QQI envisage that it will take to transition to the proposed new arrangements but the White Paper states “No sooner than September 2016” [P53]. However there are many documents which form part of the process which have not yet even been published. Setting a “not before” date provides little comfort to providers considering that many have yet to engage/re-engage with QQI which will be a body of work in its own right. (FIT)*

### QQI response

The new validation policies and criteria are being implemented on a phased basis. During the transition or pending the development of replacement material, the existing validation policies, guidelines, procedures and the existing guidelines on assessment and such like that are to be rescinded will continue to apply until replaced. Also they may be modified during the transition phase.

The new validation policies and criteria commenced first for the validation of new apprenticeships and for HET programmes and ELT programmes.

Commencement for FET programmes will be later and the precise timing will be agreed as part of an implementation plan developed with FET providers. It is envisaged that 12 to 18 months would be a realistic timeframe for full implementation.

**The new policies and criteria for validation make the transition and savings provisions explicit. Further details are published separately.**

## 4.49 QBS INADEQUACIES

A number of FET providers have expressed concerns about the inadequacies of the QQI business system (QBS) that they use to submit applications for validation and engage with the evaluation. There are particular concerns about the slowness of file upload and lack of automatic notifications (e.g. by email) from QBS (a provider must log-in to see if there has been any progress). There are also concerns about whether QBS is capable of handling the more elaborate validation process envisaged.

### QQI response

QQI is aware of the problems that providers are having with QBS and is attempting to address these.

## 4.50 FEES

One provider group (JFERG) expressed concern that the present Fee arrangement is not 'catered for'.

AONTAS (representing community education providers) makes observations about reengagement fees.

AONTAS also expressed concerns (in the context of QQI consideration of AONTAS's submissions to various policies) that 'previous issues highlighted, particularly regarding fees, have been overlooked.

Another FET provider considers the current fees as 'extortionate'.

CDETB has questioned whether it is reasonable for QQI to retain a fee when an application is withdrawn—this could be considered to amount to a penalty. It has also questioned upfront payment of fees.

*The current fee schedule is also silent on how a differential validation is treated. The standard validation charge is excessive if the nature of the modification does not warrant a significant site visit. (NCI)*

Another issue is what happens when a provider does not get a chance to provide a programme for five years owing to a change in the award standard:

*Approval Expiry. "A provider applying for the validation of a programme leading to an award that is under review must accept the risk that the programme validation will expire sooner than the normal five years for enrolment" [Section 4.5. P73]. This seems unfair. The validation fee is for a period of 5 years (assuming no fault on the part of the provider) not "or part thereof". Secondly, it is unfair to impose the cost and effort of a full validation simply because of an award review. If the provider validates at an "unsuitable time" there will be substantial cost and effort implications. (FIT)*

### QQI response

Validation and other fees will be reviewed in light of the new validation policy and criteria. The white paper does not address the setting of fees—this is handled separately by QQI.

Section 44(6) requires the application to be accompanied by a fee (if any) determined by QQI under section 80. The white paper reflects the legislation in this regard.

**The policies and criteria for validation have (section 5.6):** *Applications for the validation of new programmes may be withdrawn prior to the start of the independent evaluation stage. A partial refund of fees (up to 50% of the fees received in respect of the application) may be made if the application is withdrawn prior to the start of the independent evaluation stage.*

# 5 WRITTEN RESPONSES RECEIVED

## 5.1 VALIDATION POLICY

1. (NAPD-FE) National Association of Principles and Deputy Principles-Further Education
2. AONTAS
3. Cavan Institute
4. CDETБ (City of Dublin Education and Training Board)
5. CMETB (Cavan and Monaghan Education and Training Board)
6. Department of Adult and Community Education – Maynooth University
7. ETBI (Education and Training Boards Ireland)
8. Fastrack to Information Technology (FIT)
9. First Polymer Training
10. Griffith College
11. Institutes of Technology Ireland (IOTI)
12. ISME (Irish Small and Medium Enterprises Association)
13. JFERG (The Joint Further Education Representative Group)
14. LWL (Longford Women’s Link)
15. MIC (Mary Immaculate College)
16. NALA (National Adult Literacy Agency)
17. NCI (National College of Ireland)
18. NCU Training
19. New Approach Training **[Not for publication]**
20. Paramount College
21. Skillnets Certification Group
22. TUI (Teachers’ Union of Ireland)
23. Warrenmount Community Education Centre

## **5.2 VALIDATION FEEDBACK EMBEDDED IN QA GUIDELINES FEEDBACK**

1. Adult Education Officers Association (AEOA)  
*Core QA Guidelines*
2. Aontas  
*Core QA Guidelines*
3. CDET  
*Apprenticeship guidelines*
4. CDET  
*Core QA guidelines*
5. IBEC  
*Apprenticeship guidelines*
6. IOTI  
*Apprenticeship guidelines*
7. National Association of Principals and Deputy Principals (NAPD)  
*Core QA guidelines.*