



QQI

Quality and Qualifications Ireland
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

Devolution of Responsibility for arranging (Programme Validation Related) Independent Evaluation Reports at QQI's request: OPERATIONAL PROCEDURES

This replaces the procedure entitled 'Devolution of Responsibility for Validation Sub-processes' dated 22 December 2015.

Outline of Approach to Implementation of Policy

Section 6.2 of *Core Policies and Criteria for the Validation by QQI of Programmes of Education and Training* addresses the devolution of responsibility for arranging an independent evaluation report (IER), it states:

QQI may devolve some responsibility to the provider concerned for arranging the independent evaluation report. QQI must be confident that the provider is competent, resourced and sufficiently trustworthy and reliable to manage such a process objectively and that it has the new programme development throughput to justify the establishment of the necessary procedures. Such arrangements must be established formally through a signed memorandum of agreement between QQI and the provider.

Applicants will have no part in making validation decisions concerning their own programmes under any circumstances.

This procedure outlines the approach to the implementation of this policy.

Outline of proposed approach

1. Devolution will be available to providers who meet the following criteria
 - a. The provider has the capacity and capability to arrange the IER and a sufficient rate of validation activity (**at least 4 per annum**) to enable them to sustain that capacity and capability.
 - b. The provider has established operational procedures and quality assurance procedures for discharging the devolved responsibilities.
 - c. The provider's governance, operation and management arrangements are suitable for discharging the devolved responsibilities.
2. The scope of devolution and its operational details will be made explicit in a Memorandum of Agreement (MoA) between QQI and the provider concerned.

The MOA will limit devolution to situations where the institution is comfortably able to undertake the responsibilities involved.

The MOA will also detail the roles and responsibilities of QQI and the institution and will note the procedures which have been agreed along with any conditions. The relevant procedures will be an integral part of the institution's quality assurance procedures.

The MOA will also make provisions for the review and withdrawal of devolved responsibility. Review or withdrawal will be a decision of the QQI executive.

3. An application for devolution must be supported by three documents
 - a. Rationale for seeking devolved responsibility along with a self-evaluation against the three criteria in (1) above.
 - b. Procedures for undertaking the validation sub-processes for which responsibility is sought (i.e. the relevant quality assurance procedures). These should be consistent with the "*Schema for providers developing QA procedures for arranging (exercising devolved responsibility) the independent evaluation of a proposed HET programme that has been submitted to QQI for validation*".
 - c. Draft MoA between QQI and the applicant provider.
4. Each application will be evaluated by the QQI executive which may seek external advice. If the executive is satisfied that the criteria for devolution can be satisfied, it will attempt to:

- a. agree the necessary quality assurance procedures, including any amendments required and
- b. establish a MOA with the institution.

Otherwise it will refuse to devolve responsibility giving its reasons in writing.

5. The QQI Programme and Awards Executive Committee (PAEC) may be requested to advise on applications for devolved responsibility and will be notified of the outcomes.

Memorandum of Agreement
between
Quality and Qualifications Ireland
and
[Provider Name]

AGREEMENT made on [Day] [Month] [Year].

BETWEEN: Quality and Qualifications Ireland (QQI) and [Provider Name] (the PROVIDER).

WHEREBY QQI agrees to devolve responsibility to [Provider Name], under Section 6.2 of QQI's *Core policies and criteria for the validation by QQI of programmes of education and training*, for arranging the Independent Evaluation Report (IER) at QQI's request, and the PROVIDER agrees to undertake those responsibilities in accordance with this agreement and QQI policy.

INTERPRETATIONS:

SCOPE OF PROVISION for this agreement means the boundaries for programmes of education and training to which this agreement applies.

IT IS AGREED AS FOLLOWS:

1. The procedures cited in **Article 6** of this Agreement form part of (and are incorporated into) this agreement. A reference to this agreement includes a reference to these procedures which form part of the PROVIDER'S Quality Assurance Procedures established under Section 28 of the Qualifications and Quality Assurance (Education and Training) Act 2012 (the Providers QA Procedures).
2. QQI and the PROVIDER shall ensure a full exchange of information between their staff and shall make all reasonable efforts to optimise the quality of the validation process.
3. Devolved responsibility applies to the arrangement of IERs for applications to QQI for validation by the Provider that have been accepted by QQI and is subject to the following restrictions.
 - a. It applies to arranging the IER at QQI's request for applications for the validation of programmes of education and training within the SCOPE OF PROVISION to be provided by the Provider at one or more of its approved centres as listed in Appendix 1 or those subsequently selected using the Providers QA Procedures;
 - b. Subject to (a), it may involve applications for the validation of programmes to be collaboratively provided with partner providers subject to-
 - i. the PROVIDER being the lead provider,

- ii. a suitable collaboration agreement being established and
 - iii. QQI having previously validated a programme collaboratively provided by the PROVIDER with those partners;
 - c. Subject to 3(a) and 3(b), it may involve applications for the validation of transnational collaborative programmes subject to-
 - i. the PROVIDER being the lead provider,
 - ii. the transnational programme being a transposition of one of the PROVIDER's programmes that is currently validated by QQI,
 - iii. the transnational programme **only** involving partner providers who already collaborate with the PROVIDER in the provision of a transnational programme currently validated by QQI,
 - iv. the transnational programme not involving an extension of the scope of transnational provision;
 - d. It does not extend to applications for the validation of programmes
 - i. involving first time collaborative provision in new discipline areas,
 - ii. provided at new foreign countries or new foreign centres,
 - iii. leading to joint awards.
4. The standard process for validation is described in **QQI's QQI's Core policies and criteria for the validation by QQI of programmes of education and training**. The PROVIDER will take responsibility for arranging, at QQI's request, the IER on the relevant application in consultation with QQI and in accordance with QQI's policies, procedures and criteria using the detailed procedures specified in Article 6. QQI will be responsible for oversight of the production of the IERs.
 5. QQI and the PROVIDER understand that devolution of responsibility does not involve the delegation of any of validating or award-making authority from QQI to the PROVIDER. The PROVIDER shall not make any representations that are likely to lead to confusion of devolved responsibility with delegated authority.
 6. QQI has approved the PROVIDER's procedures for discharging the responsibilities to be undertaken. These are set out in **Appendix 1** which forms part of this agreement—any modification to these procedures must be approved by QQI and recorded as an amendment to this agreement.
 7. The fee for any validation where responsibility is devolved to the PROVIDER as described in **Article 4** is set out in QQI's Schedule of Fees. QQI may charge an additional fee (bring the total up to a maximum of a full validation fee) if, for any reason, it becomes necessary to take over the arrangement of the IER.
 8. The PROVIDER will propose the **independent evaluation panel** (with alternates) to QQI for agreement prior to the PROVIDER engaging panel members. Panel members will
 - a. be provided with, and comply with, the all the **QQI documentation**¹ that sets out its requirements for Reviewers and Evaluators involved in validation;

¹ We anticipate that the consolidated documentation will be entitled "**Roles, Responsibilities and Code of Conduct for Reviewers and Evaluators**".

- b. complete an QQI 'Expert Details Form'; and
 - c. read QQI's "**Considerations for independent evaluators in QQI Validation Processes (including conflicts of interest matters)**" and sign the relevant declaration.
- 9. The PROVIDER is liable for expenses incurred in **arranging the independent evaluation of the proposed programme**, including but not limited to, **independent evaluation panel member** travel and subsistence payments.
- 10. Nothing in this agreement shall affect the title and ownership of the intellectual property rights of each party save as explicitly agreed.
- 11. This agreement shall be terminated by:
 - a. either QQI or the PROVIDER by written notice to the other with effect to subsequent programme validation processes; or
 - b. failure of either party to comply with the terms of this agreement having been notified of the breach and given sixty days to rectify the breach, whereupon any other party shall be entitled to give written notice of termination forthwith; or
 - c. under Article 12 of this Agreement.
- 12. In the event of any dispute arising in respect of any provision herein, the dispute shall be referred to the Chief Executive of QQI and the **[Chief Executive or equivalent]** of the PROVIDER who, if they are unable to resolve the dispute between themselves the agreement shall stand terminated.
- 13. Amendments to this agreement during its period of operation shall require the written approval of all parties.
- 14. The parties confirm that this agreement shall be interpreted in accordance with the Laws of Ireland.

Authorised to sign for and on behalf of QQI:

Signature:

Name in Capitals: DR PADRAIG WALSH

Position in Organisation: CHIEF EXECUTIVE

Address in Full: QUALITY AND QUALIFICATIONS IRELAND (QQI)
26-27 DENZILLE LANE
DUBLIN 2
IRELAND

Signed in the presence of:

Position in Organisation:

Date:

Authorised to sign for and on behalf of the PROVIDER:

Signature:

Name in Capitals:

Position in Organisation: **[Chief Executive or equivalent]**

Address in Full:

Signed in the presence of:

Position in Organisation:

Date:

Appendix 1 QA Procedures directly relating to the devolved responsibility

Appendix 2 Approved Centres

Approved Centres are those listed below that have been selected using the PROVIDER'S quality assurance procedures and approved by QQI for programme delivery through previous validation processes

Centre name	Centre address	Scope

Suggested schema for Providers Developing QA Procedures for Devolution of Responsibility for Arranging (Programme Validation Related) Independent Evaluation Reports at QQI's Request

This schema identifies matters that need to be addressed by a provider's QA procedures for arranging (under devolved responsibility) the independent evaluation report (IER) at QQI's request on a proposed programme that has been submitted by the provider to QQI for validation. It is to be interpreted in conjunction with the current QQI validation policy and criteria.

QA procedures are required to have regard to the guidelines issued by QQI under section 27 of the Qualifications and Quality Assurance (Education and Training) Act 2012.

This schema is not established as a statutory QA guideline. Rather its purpose is to support the implementation of QQI's validation policy and criteria.

Providers will already have procedures for submitting a programme to QQI for validation (programme approval procedures).

This schema involves a process that occurs after a programme is submitted to QQI for validation and which is independent of the provider's programme approval procedures.

1 Prerequisites

A provider's procedures (hereafter the relevant procedures) for arranging, under devolved responsibility, the independent evaluation of a proposed programme that has been submitted to QQI for validation must be consistent with

- Applicable QQI validation policy and criteria together with supporting regulations, protocols, guidelines and such like;
- The memorandum of agreement (**MOA**) governing devolution of responsibility;
- The provider's more general QA procedures.

When any of these change, the relevant procedures need to be reviewed (in consultation with QQI) and, where necessary, updated.

1.1 Independent evaluations that must be arranged directly by QQI

A provider's procedures for arranging the independent evaluation must ensure that independent evaluations are only arranged by the provider where enabled by the MOA.

1.2 Applications must always be first submitted to QQI

Devolved responsibility only applies to procedures that occur after a complete application for validation of a programme of education and training has been received by QQI.

QQI's validation policy and criteria together with any applicable supporting regulations and protocols set out what constitutes a complete application for validation.

2 Interface with the provider's QA procedures, governance, management and operations

The independent evaluation of a proposed programme is part of the QQI validation process.

When undertaken by a provider there is potential for this independence to be compromised if conflicts of interest are not assiduously avoided. The roles and responsibilities of the provider's staff and committees involved in the arrangement of independent evaluations must be delineated and differentiated from any of their other roles and responsibilities.

3 The independent evaluation process

It is essential that the **independent evaluation process** is designed to ensure that the **independent evaluation report** meets the requirements of QQI validation policy.

There should be clear protocols concerning who may and may not communicate with the **independent evaluation panel (the panel)**.

Independent evaluators (evaluators) must be free of conflicting interests as required by QQI. This has implications for the frequency with which they can be engaged and for the kinds of involvements they can have with the provider **before, during and after** the evaluation.

The provider will need contingency arrangements for dealing with a conflict of interest that only emerges after the panel has been appointed.

Any relevant but non-conflicting interests must be declared in the independent evaluation report (**panel report**). QQI should be consulted about any conflicts that emerge following the appointment of the panel.

The independent evaluation process should be described as a sequence of steps delineating, for example, what is to be done, why it is to be done, who is to do it, how it is to be done, where it is to be done and when it is to be done. Supporting regulations, procedures and other documentation should be cited.

The sequence should be entirely consistent with QQI policy and include steps for the following.

3.1 Identifying a suitable independent evaluation panel for the programme.

The needs of the particular evaluation will determine how many persons are required and their expertise.

The panel should include expertise in the programme's discipline area or professional area, pedagogy, learner assessment and quality assurance. It should include at least one evaluator who is experienced in working with QQI validation policy and criteria and the chairperson (at least) must have completed relevant QQI training, the NFQ, QQI requirements concerning access, transfer and progression, and QQI awards standards. The panel must be gender balanced (at least 40% of each gender) and include a learner. It should include a member from an Irish university for programmes level 7 and above.

The panel should include a secretary who has the capacity and capability of writing reports that meet QQI's requirements.

Each evaluator must be required to complete the QQI's current expert details form upon request by QQI so that they are included in QQI's database of evaluators.

Prospective evaluators must be required to declare any relevant interests and be advised that these declarations will be published in the panel report. Current QQI documentation should be used.

It should be made clear to prospective evaluators what fee applies for participation in an independent evaluation panel where it is not expected to be done on a *pro bono* basis (i.e. no

payments may be made to them by the provider other than allowed travel and subsistence expenses).

Any fees paid should be comparable to those that would be paid by QQI.

One evaluator must be identified as chairperson of the panel. An evaluator (normally not the chairperson) must also be identified as secretary to the panel. The roles and responsibilities of each evaluator should be stated clearly and communicated to prospective evaluators who must confirm that they are happy to act subject to QQI's approval. Current QQI documentation should be used to support this communication.

3.2 Securing QQI's formal agreement of the proposed evaluation panel.

The provider should send QQI names and occupations of each of the proposed evaluators (but not CVs and such like) and along with a rationale for the composition of the proposed panel. Provision must be made for QQI to request that each or any of the proposed evaluators completes its expert details form for inclusion in its database.

QQI's written agreement should be secured three weeks in advance of the deliberative meeting of the panel and site visit.

Any change to the panel invalidates the agreement and new agreement should be sought (and the date of any meetings advanced if necessary).

QQI will endeavour to agree a proposed panel within five working days.

3.3 Appointing the evaluation panel.

Evaluators should be informed of their appointment in writing and this should make it clear that they are serving as evaluators in an independent evaluation process forming part of a QQI validation process and must be independent of the provider. The terms and conditions of their appointment must also be communicated in writing including entitlements to expenses and any other payments. They should be informed about the expected timelines. It should be made clear that QQI has no liability towards the evaluators.

Standard public-sector norms should apply to the calculation of travel and subsistence expenses and a suitable travel and subsistence expenses guideline should be issued to all evaluators on appointment. Payment of unnecessary expenses and expenses other than travel and subsistence expenses should be expressly prohibited unless a fee is warranted (see section 3.1).

3.4 Briefing the evaluation panel.

The panel will need to be briefed to help place its task in context. This may be accomplished at a meeting of the panel or by briefing documentation. QQI's materials for evaluators (including expectations on roles, responsibilities, the code of conduct) should always be sent to the evaluators before appointment to ensure they are clear about what is expected of them.

The briefings should cover information about the applicable QQI policy and criteria and supporting material e.g. awards standards. They should also provide instruction on the process to be implemented and guidance on the reporting arrangements.

Some panel members may need to be briefed on the wider environment for the programme e.g. on the Irish education system and the employment landscape for graduates.

3.5 Distributing the application documents to the panel.

Application documents must be distributed to the panel well in advance of the panel's first deliberative meeting (**two weeks at a minimum**). The application documentation submitted to the panel must be the same (exact copies) as the documentation that was lodged with QQI.

There should be a checklist of other documentation that must be distributed to the panel (e.g. validation criteria, awards standards, assessment guidelines, and the arrangements and agenda for the panel meetings and site visit) where not already provided as part of the briefing package.

3.6 Responding to requests for supplementary documentation.

Supplementary material concerning the proposed programme may be sent to the panel by the provider **only if** requested by the panel. The production of such material may only be for elaborative purposes and may not be for the purpose of the further development of the programme after the application for validation has been made.

Any such requests must be recorded in the panel report along with the supplementary documentation which must be submitted to QQI with the panel report.

3.7 Arranging the agenda for the site visit.

There must always be a deliberative meeting of the panel and there should be a site visit unless agreed otherwise by QQI.

The arrangements should be agreed with the panel and then communicated to the panel, the programme team and any others who are to attend.

The conduct of the site visit should be consistent with how QQI conducts such visits.

Evaluators may be requested to send initial observations directly to the panel chairperson in advance of the site visit after they have read the application material.

The panel chairperson may seek supplementary material from the provider (see section 3.6).

3.8 Production of the draft independent evaluation report

The IER (panel report) shall be produced by the panel in accordance with QQI's current validation policies and criteria. The panel is the author of the independent evaluation report.

The panel report must be approved in writing by the panel chairperson having been agreed by the whole panel.

The panel report should be received by QQI within three weeks of the final panel meeting.

The panel report must address the applicable QQI validation criteria. It should be drafted in QQI's format and style. The conclusions, conditions and recommendations must be based on judgements made against the validation criteria in accordance with QQI validation policy and the Qualifications and Quality Assurance (Education and Training) Act 2012. It must be produced in accordance with QQI policy.

3.9 Factual accuracy checking

The panel chairperson should check the factual accuracy of the report with the provider. QQI's protocols for this should be followed closely.

3.10 Conclusion of the independent evaluation process

The panel report should be sent to QQI along with an account of the conduct of the independent evaluation process.

QQI will take over the process at this stage and bring the validation process to conclusion using its standard procedures.