



Reengagement Panel Report

Assessment of Capacity and Approval of QA Procedures

Part 1 Details of provider

1.1 Applicant Provider

Registered Business/Trading Name:	The Open College for Direct Learning Ltd, trading as The Open College
Address:	The Learning Centre, Leopardstown Business Centre, Ballyogan Road, Leopardstown, Dublin 18
Date of Application:	
Date of resubmission of application:	
Date of evaluation:	
Date of site visit (if applicable):	28/03/2019
Date of recommendation to the Programmes and Awards Executive Committee:	08/04/2020



1.2 Profile of provider

The Open College (hereafter TOC) is an existing provider of QQI validated programmes spanning the domains of Early Childhood Care & Education, Healthcare, Sport and Business. TOC was founded in 2004, gained FETAC provider approval in 2008 and agreed Quality Assurance with FETAC in June 2009.

The current scope of provision allows TOC to deliver 31 programmes leading to QQI awards at level 5 and level 6. Of these programmes, 8 lead to Major Awards, and 23 lead to Minor Awards. The majority of the provider's awards are offered at level 5. TOC entered 1,688 learners for certification in 2018; the provider indicates in its reengagement application that a current yearly average number of certifications is 1600.

TOC describes itself as Ireland's largest provider of online private training courses. The provider operates a flexible delivery model, with rolling enrolment a feature of its operations. TOC programme content is made available to learners online through resources custom produced by TOC tutors, including custom written booklets, videos and quizzes. TOC uses a range of technologies to host content in a Virtual Learning Environment (hereafter VLE) and to enable remote student – tutor interaction. TOC states that 10% of its QQI validated courses are delivered face-to-face and 90% are delivered through a blended learning delivery model. Some additional programmes for Continuing Professional Development that are not QQI validated are delivered completely online.

A number of TOC programmes require learners to undertake work placements, during which time they are mentored by workplace supervisors who are not employed by TOC. These placements are essential to ensure learners have sufficient opportunity to achieve skills-based learning outcomes. Some assessments of demonstrated skills are undertaken during the placement. Sourcing an appropriate work placement is considered to be the responsibility of the learner. However, TOC standards pertaining to the workplace being a legally established entity with an appropriately qualified supervisor in place apply, and support is available from TOC's careers manager for learners struggling to locate a suitable placement.

TOC notes in its application that a minority of its learners are in receipt of public funding through various initiatives, employment services and grants.



Part 2 Panel Membership

Name	Role of panel member	Organisation
Danny Brennan	Chair	Principal, DNB Education Consultants, and Former Registrar LYIT
Catherine Peck	Recording Secretary	Managing Director, Education Consultant
Matthew Waters	QA Expert/Subject Matter Expert	Technology Lead, An Cosán
Tomás Mac Eochagáin	QA Expert	Registrar/Director of Academic Programmes, Griffith College Dublin
Angela Higgins	QA Expert	Education Development Officer, KWETB



Part 3 Findings of the Panel

3.1 Summary Findings

The panel acknowledges that TOC has demonstrated a sustained commitment to its development of QA. The provider's representatives have previously engaged with QQI through a pilot reengagement process. The provider has also used the dimensions of QQI's Core QA Statutory Quality Assurance Guidelines (2016) to self-identify areas for improvement and has undertaken concrete activities to address these. This is noteworthy, and commendable.

Following review and discussion of TOC's application documentation and QA, and a site visit to the provider, the panel held the view that changes were necessary to the QA procedures of The Open College (hereafter TOC) to bring these into full alignment with QQI's guidelines. Implementation of these measures would strengthen the position of TOC within the sector, and safeguard its future operations. The mandatory changes were specified to ensure that appropriate structures of governance were in place, and that ongoing development of learning and teaching at TOC was pedagogically informed. The panel also advised TOC to ensure that its blended learning delivery mode aligned to the principles outlined in QQI's *Statutory Quality Assurance Guidelines for Providers of Blended Learning Programmes* (2018), and that TOC's QA policies and procedures were clearly expressed in all communications.

It was the view of the panel that TOC had the capability to implement the necessary changes within an allocated period of six months. The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider. It was the panel's view that TOC had undertaken a comprehensive review of its QA in the intervening period, and addressed the panel's mandatory changes. Subsequently, the panel's recommendation to QQI is to approve the draft QA procedures of TOC.

The panel recognises that the process of reengagement for QA approval is a challenge for providers, requiring significant reflection, candid self-evaluation and a willingness to engage in continuous development. Although this is demanding, working toward a successful outcome brings numerous benefits, and establishes a sound foundation for ambitions to develop and expand. Importantly, a robust QA system that reflects QQI's Core Statutory Quality Assurance Guidelines will support a provider's ambitions to develop new programmes that demonstrably align with QQI's Policies and Criteria for the Validation of Programmes of Education and Training (2017).

While acknowledging the difficulties entailed in the process, the panel is of the view that the efforts made to address the panel's initial concerns have facilitated a substantive move forward at TOC, and commends TOC on its work to address and resolve the issues identified.

N.B. The panel was informed that financial information was / would be made available directly to QQI. Accordingly, the panel made no determination in respect of financial matters. In relation to this, the panel advises that the mandatory changes identified by the panel following the site visit pertained to core



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aspects of the provider's operations, and the need for these changes was therefore not contingent upon, nor diminished by, future development of the business. The mandatory changes were intended to ensure and enhance TOC's good standing in the sector as a quality assured provider of QQI validated programmes.



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3.2 Recommendation of the panel to Programmes and Awards Executive Committee of QQI

	Tick <u>one</u> as appropriate
Approve The Open College's draft QA procedures	✓
Refuse approval of The Open College's draft QA procedures pending mandatory changes set out in Section 6.1 <small>(If this recommendation is accepted by QQI, the provider may make a revised application within six months of the decision)</small>	
Refuse to approve The Open College's draft QA procedures	



Part 4 Evaluation of provider capacity

4.1 Legal and compliance requirements:

	Criteria	Yes/No/ Partially	Comments
4.1.1(a)	Criterion: <i>Is the applicant an established Legal Entity who has Education and/or Training as a Principal Function?</i>	Yes	<p>The Open College supplied a Company Registration Number in its application documents; see also evidence listed under 4.1.2(a).</p> <p>Further, the provider's QA was approved by FETAC in 2009, and the provider has validated 31 programmes through FETAC and QQI to date.</p>
4.1.2(a)	Criterion: <i>Is the legal entity established in the European Union and does it have a substantial presence in Ireland?</i>	Yes	<p>Documentation to support the establishment of TOC as a legal entity within the European Union was provided in the provider's application. This included:</p> <ul style="list-style-type: none">• Company Registration Number• Certificate of Business Registration• Tax Clearance Certificate• Business Insurance Policy <p>The provider operates from an address in Dublin 18, which was the location for the panel's site visit.</p>
4.1.3(a)	Criterion: <i>Are any dependencies, collaborations, obligations, parent organisations, and subsidiaries clearly specified?</i>	Yes	<p>The provider states there are no dependencies, collaborations, parent organisations or subsidiaries to specify.</p>



4.1.4(a)	Criterion: <i>Are any third-party relationships and partnerships compatible with the scope of access sought?</i>	Yes	The provider states there are no third-party relationships and partnerships.
4.1.5(a)	Criterion: <i>Are the applicable regulations and legislation complied with in all jurisdictions where it operates?</i>	Yes	The provider has submitted a declaration of compliance with relevant legislation and regulatory requirements as part of its application.
4.1.6(a)	Criterion: <i>Is the applicant in good standing in the qualifications systems and education and training systems in any countries where it operates (or where its parents or subsidiaries operate) or enrolls learners, or where it has arrangements with awarding bodies, quality assurance agencies, qualifications authorities, ministries of education and training, professional bodies and regulators.</i>	Yes	The provider operates within the Republic of Ireland. The provider registered with FETAC in 2008 and had its QA approved by FETAC in 2009.

Findings

The panel notes that the provider has been operating with an established relationship with FETAC and QQI since 2008, and has provided appropriate documentation that is indicative of legal and compliance requirements being met in support of its application for reengagement.

**4.2 Resource, governance and structural requirements:**

	Criteria	Yes/No/ Partially	Comments
4.2.1(a)	Criterion: <i>Does the applicant have a sufficient resource base and is it stable and in good financial standing?</i>	Unable to make a determination.	The panel was informed that financial information was / would be made available directly to QQI. Accordingly, the panel makes no determination in respect of financial matters
4.2.2(a)	Criterion: <i>Does the applicant have a reasonable business case for sustainable provision?</i>	Unable to make a determination.	The panel was informed that financial information was / would be made available directly to QQI. Accordingly, the panel makes no determination in respect of financial matters
4.2.3(a)	Criterion: <i>Are fit-for-purpose governance, management and decision-making structures in place?</i>	Yes	Following the panel's site visit in March, 2019, TOC implemented mandatory changes identified by the panel to address concerns in relation to this criterion. Subsequent to a review of the changes made by TOC, the panel is satisfied that the provider now has fit-for-purpose governance, management and decision-making structures in place.
4.2.4(a)	Criterion: <i>Are there arrangements in place for providing required information to QQI?</i>	Yes	TOC has robust administrative systems in place and has designated responsibility for liaison with QQI and/or other relevant awarding bodies to its Head of Operations.

Findings

Findings in relation to the provider's resource base and case for sustainable provision are necessarily limited. The panel was informed that financial information was / would be made available directly to QQI. Accordingly, the panel makes no determination in respect of financial matters. Consequently, the panel is unable to make an evaluation in regard to the listed criteria in sections 4.2.1(a) and 4.2.2(a) above.



With regard to Criterion 4.2.3(a), the panel finds that TOC’s revised governance, management and decision-making structures are fit-for-purpose. With regard to Criterion 4.2.4(a), the panel felt at the conclusion of the site visit that there was sufficient evidence to support a positive evaluation of the arrangements in place.

4.3 Programme development and provision requirements:

	Criteria	Yes/No/ Partially	Comments
4.3.1(a)	Criterion: <i>Does the applicant have experience and a track record in providing education and training programmes?</i>	Yes	TOC has a 10-year record of recognition, validation and certification in Ireland through FETAC and QQI.
4.3.2(a)	Criterion: <i>Does the applicant have a fit-for-purpose and stable complement of education and training staff?</i>	Yes	TOC has a complement of experienced professionals and subject matter experts who are employed as tutors and may also be contracted to design and write learning materials within their subject areas. However, the panel initially had concerns regarding the lack of pedagogic expertise within TOC, and the consequently limited opportunities for pedagogically informed curriculum design and development of teaching staff. Following the panel’s site visit in March, 2019, TOC implemented mandatory changes identified by the panel to address these concerns. Subsequent to a review of the changes made by TOC, the panel is satisfied that the provider now has a fit-for purpose complement of education and training staff in place.



4.3.3(a)	Criterion: <i>Does the applicant have the capacity to comply with the standard conditions for validation specified in Section 45(3) of the Qualifications and Quality Assurance (Education and Training) Act (2012) (the Act)?</i>	Yes	The panel had identified areas for improvement in relation to teaching and learning, and clarity surrounding processes within QA which the panel felt would strengthen the provider's capacity in relation to this criterion. Following the panel's site visit in March, 2019, TOC implemented mandatory changes identified by the panel to address concerns in relation to this criterion. Subsequent to a review of the changes made by TOC, the panel is satisfied that the provider now has the capacity to comply with the standard conditions for validation as per this criterion.
4.3.4(a)	Criterion: <i>Does the applicant have the fit-for-purpose premises, facilities and resources to meet the requirements of the provision proposed in place?</i>	Yes	TOC has invested in appropriate technologies to facilitate online content delivery through a VLE, and to enable remote student – tutor interaction. The provider operates from a business premises in Dublin 18 and contracts additional facilities where required to facilitate examinations in other locations, for example, Cork.
4.3.5(a)	Criterion: <i>Are there access, transfer and progression arrangements that meet QQI's criteria for approval in place?</i>	Yes	TOC discusses processes pertaining to learner admission, progression and recognition in section 5.1.2 of the provider's QA Manual, submitted as part of the reengagement application. TOC's entry requirements are clearly stated and learners have opportunities to avail of RPL.



			No direct links with universities or third level institutes or advanced entry standing agreements are currently in place.
4.3.6(a)	Criterion: <i>Are structures and resources to underpin fair and consistent assessment of learners in place?</i>	Yes	The panel had identified a need for greater clarity surrounding the role of assessment pertaining to work placements and the role of the workplace mentor within these. Following the panel's site visit in March, 2019, TOC addressed this. Subsequently, the panel is satisfied that the provider has appropriate structures in place to underpin fair and consistent assessment of learners.
4.3.7(a)	Criterion: <i>Are arrangements for the protection of enrolled learners to meet the statutory obligations in place (where applicable)?</i>	Yes	A statement regarding the Protection of Enrolled Learners in relation to the statutory obligations is made on the provider's website.

Findings

TOC has a track record of provision in the sector in Ireland, and has established appropriate processes for access, transfer and progression as well as Protection for Enrolled Learners.

The panel's initial reservations with regard to the listed criteria 4.3.2(a), 4.3.3(a) and 4.3.6(a) were addressed by TOC within the allocated six month period, and the panel is satisfied following a review of the actions taken by TOC that these criteria are now met.



4.4 Overall findings in respect of provider capacity to provide sustainable education and training

TOC is an established provider with a track record of certification in Ireland, particularly within the domains of Early Childhood Care & Education and Healthcare. TOC's operations provide flexible programmes for a diverse cohort of learners. The provider's model enables access to education for individuals who are remotely located, or whose opportunities to study must be scheduled around their existing work and family commitments. The panel recognizes that the social demand for provision of this nature is self-evident in TOC's enrolment and certification records.

TOC has invested in technologies that support the development of their administrative operations and their capacity to deliver programmes to learners remotely using virtual learning environments and multimodal curriculum materials. The provider has actively engaged with FETAC and QQI over the past decade to have its QA approved and have its programmes validated. TOC has demonstrated a commitment to QA through its self-evaluation process, and the actions it has already undertaken to address self-identified issues. This reflects a mind-set of continual improvement within the organisation, and suggests the provider's leadership is capable of internal reflection, growth and development.

However, these strengths notwithstanding, it was evident to the panel that further improvement was warranted in specific areas of TOC's operations. Where improvement was crucial to the provider's QA, it was identified as a mandatory change in the interim report. These mandatory changes were intended to strengthen and enhance TOC's operations, and ensure continued good standing within the sector. The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. It was the panel's view that TOC had undertaken appropriate measures in the intervening period, and had addressed the panel's mandatory changes. Subsequently, the panel's recommendation to QQI is to approve the draft QA procedures of TOC.

N.B. As previously stated, the panel's findings with respect to TOC's capacity to provide sustainable education are necessarily limited in the context of this reengagement application. The panel was informed that financial information was / would be made available directly to QQI. Accordingly, the panel makes no determination in respect of financial matters.



Part 5 Evaluation of draft QA Procedures submitted by The Open College

The following is the panel's findings following evaluation of The Open College quality assurance procedures against QQI's Core Statutory Quality Assurance Guidelines (April 2016) and Topic Specific QA Guidelines - Blended Learning. Sections 1-11 of the report follows the structure and referencing of the Core QA Guidelines.

1 GOVERNANCE AND MANAGEMENT OF QUALITY

Panel Findings:

With regard to Governance and Management of Quality, the panel identified that TOC currently did not have a governance structure in place to ensure there was an appropriate separation of academic and commercial decision making, and that academic matters were not unduly influenced by corporate considerations. During the panel's visit, TOC representatives noted that although some development of the governance structure had taken place, this remained a work in progress. It was also evident to the panel during the site visit that TOC's governance structures were emerging alongside growth and development in the organisation.

The panel acknowledged the challenges inherent in establishing a robust governance structure for small providers, and that in practice this may require some overlap of membership between the academic and corporate committees, panels or boards within an institution. However, the panel advised that risks associated with this could be mitigated through clear delineation of responsibilities for different groups (i.e. terms of reference), and also through ensuring appropriately qualified externality was sought. During the site visit, TOC representatives explained that mistrust within the sector of private education provision was a problematic factor in relation to externality. Consequently, TOC was hesitant to provide potential competitors with access to commercially sensitive information. The panel notes TOC's concerns in this regard.

However, an interrelated issue that TOC needed to address with regard to governance was that roles requiring staff to be appropriately experienced or qualified in the field of education did not exist at a senior level in the structure. This meant that although education and training was the core activity of TOC, the provider's governance structure was not reflective of this. This undermined TOC's capacity to create distance and balance between academic and corporate decision making. For example, during the site visit, TOC representatives referred to review panel meetings, which function in place of an academic committee and occur three times per year, after external authenticators' reports had been reviewed. The panel was unable to determine how membership of this review panel differed from the membership of TOC's corporate governance group. During the site visit, TOC representatives also outlined plans to recruit a panel of 15 external authenticators who would be engaged to work directly for TOC. While this would be valuable, the panel was concerned that the provider was conflating the discipline specific expertise and role of external authenticators with the educational expertise that is



necessary to guide academic decision making across the institution. The need for academic perspective, grounded in experience in the education sector, therefore needed to be addressed in TOC's review of its governance structure.

Following this stage of TOC's reengagement with QQI, a review and restructure of the provider's governance was a mandatory change. There were multiple ways in which such a restructure could be approached, and the panel's role was not to dictate specifics to the provider. However, for the purposes of exemplification, the panel identified some indicative measures below that would potentially address issues within the provider's governance structure:

- The provider could establish an academic group (referred to as committee, panel or board) with clear terms of reference, instructed to meet 3 – 4 times per year. Membership of this group may overlap with, but should not be coterminous with, TOC's corporate governance. The functions of the current review panel would fall within the remit of this panel/committee.
- The provider could introduce an appropriately experienced external individual with knowledge of the Further Education & Training sector from an educational perspective (i.e. pedagogy, teaching, learning assessment, learner services) to act as independent chair for any newly established academic group.
- The provider could ensure that any new, and particularly senior level, staff appointments at TOC are made with regard to candidate's experience, qualifications and expertise in education.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken a comprehensive redesign of its Governance and Management structure, including the introduction of an Academic Council to safeguard the autonomy of academic decision-making. TOC's QA Manual has been updated to reflect these changes. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.



2 DOCUMENTED APPROACH TO QUALITY ASSURANCE

Panel Findings:

TOC has developed a comprehensive set of QA policies and procedures that are available to both staff and students. The Head of Operations is designated with responsibility for maintaining the currency of all QA documentation, and during the site visit the panel was shown the SharePoint site used by TOC for the dissemination of this information to staff.

However, while TOC had undertaken a comprehensive documentation of its QA prior to the site visit, the panel noted that TOC's reengagement application and accompanying documentation required substantial editing and revision prior to resubmission. Language used in the documentation was often vague or imprecise, and poor phrasing along with occasional errors of grammar and vocabulary at times made the intended meaning unclear. This potentially undermined the clarity of TOC's communications with QQI and its representatives, but also with its staff and students.

An important aspect of this was nomenclature. Terms used to refer to individual roles or to groups of staff tasked with making decisions and recommendations were used inconsistently in the reengagement process (inclusive of application documentation and panel site visit). This had a negative impact on the clarity of communication surrounding current decision-making structures in the context of the reengagement process, and was indicative of a lack of formalisation of this area internally.

Following the first stage of TOC's reengagement with QQI, revision of current QA policy and procedures to ensure a clear and consistent use of terms throughout was a mandatory change. TOC were advised to address this carefully over the 6-month period allocated to the provider for implementation of mandatory changes. Roles needed to be clearly defined, and consistently labelled/referenced at all levels. The membership and responsibilities of any academic body (committee, panel or board) formed to address mandatory changes to governance needed to be transparent with clear terms of reference, membership and frequency of meetings outlined. TOC's resubmitted QA documentation needed to be presented in an efficient and concise manner, using clear language that was accessible and user friendly for staff and students within the institution.



The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken a comprehensive review of its QA documentation. The revised QA Manual uses consistent terminology for roles and processes within the organisation. At the panel's January review meeting, some additional clarifications were sought by the panel members and these were provided by TOC's representatives. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

3 PROGRAMMES OF EDUCATION AND TRAINING

Panel Findings:

As part of the reengagement process, TOC has outlined programme related processes within application documentation and in discussion with the panel. The provider's programme design is informed by the industry and domain specific expertise of the tutors it employs to develop curriculum. Work placements are integrated into some programmes to provide opportunity for learners to work toward vocation-specific skills-based learning outcomes. Additionally, both formal and informal processes are in place to engage learner and tutor feedback for monitoring and review. Learner admission, progression and recognition policies are documented, and largely fit-for-purpose.

However, at the conclusion of the site visit, with regard to programme development and approval, as well as ongoing monitoring and periodic review, the panel was of the view there was considerable scope for improvement. Issues to be addressed in this area stemmed from problems in TOC's governance structure (see section 5.1). The lack of clear separation between academic and commercial decision making within the provider's structure compromised the transparency and integrity of these processes. Minimal or no separation was visible between decision making based on commercial, market-led or operational concerns and decision making based on learner-centred, academic and quality focused programmes.

Notably, a further concern stemmed from TOC's processes around curriculum design and the development of learning materials. TOC outlined that where materials and content were pre-existing, new tutors were provided with these, and given the opportunity to update and personalize the material. Where a tutor was employed to teach a new course, they were employed to create the learning materials following basic templates provided by TOC. Tutors were paid for any curriculum development work they undertook, and the IP for any materials they produced was retained by TOC. However, as discussed in section 5.4 and 5.5, the panel was unable to identify clear development or training for staff in appropriate



pedagogies. This created risk in relation to TOC's curriculum and learning materials. Despite being informed by subject matter experts, these were being developed without any clear reference to either pedagogic principles or the principles of learner-centred curriculum design as pertaining to blended learning delivery.

This lack of visible pedagogic expertise or demonstrated understanding of principled learning design among TOC staff charged with programme development was also a concern, and this is discussed in section 5.4. With regard to programme design that takes account of intended mode of delivery and learning environment, the panel also advised practices needed improvement. Although the provider had invested in technologies for blended learning delivery mode, the panel could find little evidence that TOC was taking a pedagogically informed approach to designing for a virtual learning environment. These issues were discussed in detail in sections 5.5 and 5.12.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken reviews of its Governance and Management structure and QA procedures (discussed in Sections 5.1 and 5.2 respectively) that addressed many of the issues raised in this section of the panel's initial report. TOC additionally undertook a substantive review of its practices with regard to Continuing Professional Development of staff for teaching in online environments, and approaches to teaching online. At the panel's January review meeting, some additional clarifications were sought by the panel members with regard to this, and responses were provided by TOC's representatives. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

4 STAFF RECRUITMENT, MANAGEMENT AND DEVELOPMENT

Panel Findings:

In addition to a core staff, the majority of whom are responsible for operations and administration, TOC employs an online content manager and a number of part-time tutors. New tutors are provided with an induction managed by the Head of Operations, mentored by a senior tutor, and given technical training and support as required. Contingency planning is in process, and efforts are being made to develop a pool of suitably qualified tutors. However, TOC representatives acknowledged that it is difficult to recruit tutors with experience of teaching or delivery of blended learning in the subject areas of TOC programmes.

During the site visit, the panel worked to establish what pedagogical training, certification or ongoing professional development teaching staff at TOC were routinely provided with. This dimension of QA requires that teaching staff have access to opportunities for development, and that such activity is encouraged. It is also essential to support quality teaching and learning. Tutors were asked how their



approaches to teaching and learning had developed or had been developed while working with TOC. The provider's staff, including tutors, the careers manager, the online content manager and leadership were invited to describe their own development as educators, or refer to specific activities provided for staff to develop pedagogic expertise (for example, workshops, seminars or conferences; recognised courses of training or certification). It was evident to the panel from this discussion that while operational and technical support for staff was comprehensive and well provided at TOC, a significant gap existed in relation to the development of teaching and blended learning practice.

Teaching and learning are the core business of TOC's operations, and it was therefore essential that resources be directed toward the development of expertise in this area among the provider's staff. Following this stage of TOC's reengagement with QQI, a mandatory change required the provider to take steps to develop an organisational culture in which a focus on learning and teaching was central to the business.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken a substantive review of its practices with regard to Continuing Professional Development of staff for teaching in online environments. TOC have introduced a mandatory course 'Teaching in an Online Environment' for all teaching staff, which is seen as an important step for new and existing lecturers to standardise their pedagogic competences. The panel were provided with access to this course prior to the January review meeting, and commended TOC on its structure and content. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

**5 TEACHING AND LEARNING*****Panel Findings:***

QA for teaching and learning requires providers to use a flexible range of pedagogical methods, which can be reviewed and adjusted as appropriate to the context of a course or programme of learning, the learner cohort and the intended learning outcomes. Providers should ensure they are engaging with national and international communities of practice and enabling flexible learning pathways to facilitate diverse learners. A strength of TOC's current provision is the high degree of flexibility it provides to learners, enabling participation among learners who may otherwise struggle to access opportunities for education and training. However, the panel found that TOC was in general not demonstrating an appropriate regard for other aspects of the teaching and learning dimension of QA.

During the reengagement process and site visit, TOC representatives were unable to respond with clarity to questions pertaining to pedagogic approaches, development of teaching or learner-centred instructional design. Reflective, critical or theoretically informed approaches to teaching and learning were not referenced. Responses from TOC's representatives to questions regarding teaching and learning pivoted toward subject matter specific or administrative concerns. This raised concern for the panel that the provider was interpreting teaching and learning in relation to coverage of content or effective strategies for administration, rather than pedagogic practices. Teaching and learning needed to be recognized by TOC as an area of knowledge in its own right, which is entirely distinct from disciplinary or industry-based expertise, and is also separate from administrative processes that tutors may be responsible for. Development of skills and training in blended learning, technology enhanced learning and educational technologies as an area of expertise needed to be given equal or greater emphasis than administrative and technical training or support.

This was particularly important when considering the learner profile and learning environment at TOC. For example, TOC's learners self-paced through a rolling admissions system, and as such they did not have access to a peer group moving through a course simultaneously. Further, many of the learners had limited, if any, synchronous face-to-face contact with tutors. The webinars that TOC had established served as question and answer clinics and were poorly attended. Teaching staff needed to be better equipped with pedagogic knowledge and strategies to draw upon to support learners through their studies with TOC. A culture of learning and teaching needed to be developed and nurtured by the provider.

An outcome of this stage of TOC's engagement was that taking steps to develop an organisational culture in which an increased focus on learning and teaching was central to the business was a mandatory change. Commentary in this section of the panel's report should therefore be considered with reference to this.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had implemented appropriate measures for the Continuing Professional Development of staff for teaching in online environments (discussed in Section 5.4). TOC additionally adjusted the delivery format and expectations of learners in relation to the synchronous elements of its online courses. TOC's revised



submission indicated that opportunities were facilitated within the new format for learners to engage in interactive discussions with tutors and peers, that attendance at the live webinars was now mandatory, and that all live webinars and lectures would focus on the achievement of learning outcomes. Finally, TOC engaged in a process of external consultation to review opportunities for developing its practices with regard to the online learning environment. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

6 ASSESSMENT OF LEARNERS

Panel Findings:

QQI's guidelines under this dimension of QA were partially addressed by TOC at the time of the panel's site visit. TOC demonstrated some good practice surrounding the administration of assessment and the engagement of external authenticators. Issues of academic integrity associated with assessment practices were also taken very seriously by the provider. However, areas of concern existed.

Notably, the structure of some programmes required learners to complete assessments to which their work placements were integral. During placements, workplace supervisors acted as mentors and provided confirmation to tutors that learners had opportunities to develop specific manual or technical workplace-based skills, for example, changing a nappy. TOC tutors undertook assessment of learner achievement following the completion of competency reports by a workplace supervisor. These reports verified that skills demonstrations had taken place under the direct observation of the supervisor. If the reports were not submitted this was considered an incomplete submission. A concern for the panel was the remote nature of the relationship between TOC and the employers where students undertook placements. TOC noted that students were expected to source work placements independently, although support was available if they were unsuccessful in doing so. The provider's tutors did not undertake onsite visits to students during their work placements, and only desk-based checks were made regarding suitability. As skills-based assessments formed a substantial percentage of an overall grade within some programmes, this ambiguity needed to be closely examined and addressed by the provider.

The panel notes that TOC actively works to safeguard academic integrity, both through provision of information and support to students regarding appropriate practices and through use of Turnitin software. TOC has documented issues related to plagiarism in a document submitted to QQI representatives on the date of the panel visit (listed in Annexe 1 of this document). However, in relation to reducing instances of plagiarism, it was noted that assessment design procedures would also benefit from review at TOC. For example, personalised, contextually specific assessments, multimodal submission formats and rubrics that foster reflection/introspection are common methods employed by educators to assist in safeguarding academic integrity. A concern for the panel was that due to the provider's programme design practices discussed in sections 5.3 and 5.4, responsibility for preparing assessment



briefs may have rested with tutors with little or no experience in an educational setting, with limited oversight that was pedagogically informed.

In other sections of this document the need for TOC to develop and nurture a culture of teaching and learning was discussed, and this was reflected as a mandatory change. The panel advised that this change would also readily facilitate review of the areas suggested within the assessment dimension of TOC's QA.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had implemented appropriate measures that addressed the panels concerns in relation to this area of QA. These included an emphasis on the Continuing Professional Development of staff and the establishment of an Academic Council. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

**7 SUPPORT FOR LEARNERS*****Panel Findings:***

The panel notes that support for learners is evident at TOC, and procedures are in place to inform learners of the services available to them as well as to gather learner feedback on their experience with the provider.

TOC employs a careers manager who provides learners with support as needed in obtaining suitable work placement opportunities, and also makes learners aware of employment opportunities. An access policy is in place which outlines reasonable accommodations, and learners can avail of technical support.

After a course commences, students are able to directly contact tutors for course-related support, and engage in synchronous web communication at regularly scheduled times. While the latter was considered problematic in relation to how a blended learning delivery mode was being interpreted by the provider (see section 5.12), the weekly webinars facilitated by tutors on TOC programmes acted as an additional support for learners. Learners were able to indicate their interest in attending a webinar, during which tutors were available in real time to answer questions or discuss issues with students, of both a course-general or student-specific nature.

An area in which TOC could review and improve its practice related to learner representation. The panel acknowledged that this is a challenge due to the geographically dispersed nature of TOC's learners. However, the panel noted efforts could be made to secure learner representation through encouraging more peer-to-peer communication within courses, and establishing communication channels intended specifically for learners to make representations to the provider regarding matters of general concern.



8 INFORMATION AND DATA MANAGEMENT

Panel Findings:

The panel initially found that QQI's QA guidelines under this dimension had been partially addressed. During the site visit, TOC noted that functions for maintaining and tracking student records were currently fragmented, and that access to student records was not currently differentiated by role, but was instead open to all administrators. TOC gather multiple sensitive data sets including passport, drivers licence and PPS numbers. The panel recommended that all data sets be reviewed to ensure they were limited to what was necessary to the purpose for which they were processed. The panel noted that a bespoke Learner Management System (LMS) was being developed for TOC. The system would allow the provider to bring this data into one secure environment which would enable reporting and audit trails. When completed, the system would enhance the security of student data and facilitate easier generation of data required for reporting purposes.

Notably, TOC's Moodle backend and coding work is also based outside the EU, with contractors in India. TOC view current arrangements as GDPR compliant, as the information physically resides on a server within the EU, and staff in India are only able to access learner names and email addresses. It is evident to the panel that TOC demonstrates some awareness regarding its obligations under GDPR legislation. However, while the panel requested evidence that the mandatory GDPR policies were in place, the only policy supplied was the TOC privacy policy as listed on the website. The panel identified this as an area of potential risk that would benefit from closer internal review at the provider. Currently, responsibility for GDPR compliance rests with TOC's CEO. The provider notes that this is envisaged to later rest with an IT manager. It was also noted that guidelines from the Data Protection Commission recommend (but do not mandate for organisations of this size) that responsibility for GDPR compliance should reside outside of the Executive and IT organisational functions to avoid conflict of interest and ensure independence of the role.

When the panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented, TOC confirmed that the Data Protection Policy had been updated. Additionally, TOC confirmed that contractors in India assisting in coding development of the provider's new Learner Management System would have no access to student data post development. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

**9 PUBLIC INFORMATION AND COMMUNICATION*****Panel Findings:***

The panel finds that QQI's guidelines under this dimension of QA have been addressed by TOC. The provider has a comprehensive set of QA policies and procedures. Information is readily available for learners. However, the panel notes that TOC informed the panel during the site visit that they do not intend to publish their QA procedures on their website, and cited concerns regarding the commercial sensitivity of the information.

The panel further noted that a mandatory change, which pertained to the clarity and consistency of terminology used in QA documentation, would strengthen this aspect of TOC's QA by reducing ambiguities in the provider's communications.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had updated its documentation to ensure the consistent use of terminology for roles and processes within the organisation. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this dimension of QA.

10 OTHER PARTIES INVOLVED IN EDUCATION AND TRAINING (incl. Apprenticeships)***Panel Findings:***

QQI's guidelines under this dimension have been addressed with reference to current provision, but not planned future provision.

TOC does not currently have external relationships of relevance pertaining to this dimension of QA. TOC did not disclose information pertaining to future developments in this area to the panel, citing the commercially sensitive nature of such information. The panel is satisfied that approval for future provision involving a change in scope will be subject to separate consideration and accreditation processes by QQI.

**11 SELF-EVALUATION, MONITORING AND REVIEW*****Panel Findings:***

The panel finds that TOC has made a visible commitment to this dimension of QA. The provider undertakes internal reviews, and these are informed by routinely collected learner feedback as well as other indicators. Actions undertaken by TOC following their engagement with QQI during a pilot reengagement process also reflect the importance the provider places on self-monitoring, improvement and enhancement.

However, at the time of the site visit the panel also noted that TOC's capacity to take a comprehensive approach to self-evaluation would be substantially enhanced following the integration of perspectives more deeply grounded in education to the provider's governance structure and staffing, as has been previously discussed in this document in sections 5.1, 5.3, 5.4 & 5.5.

The panel therefore commends TOC for achievement in this area to date, and encourages the provider to take advantage of the external review provided by the reengagement process to further achievement in this area.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken a comprehensive review of its QA. The panel commends TOC on their engagement with the recommendations and willingness to refine their practices. The panel is confident that the actions taken by TOC have served to enhance their provision moving forward.

**12 TOPIC-SPECIFIC QA PROCEDURES: BLENDED LEARNING*****Panel Findings:***

The panel initially found that TOC's documentation and practice surrounding the delivery of its programmes in blended learning mode did not adequately address QQI's guidelines for this dimension of QA. Several interrelated concerns were identified.

In the majority of TOC's programmes, learners did not meet with tutors or peers in a synchronous, face-to-face or group attended learning environment on a regular or semi-regular basis. Notably, QQI's Statutory Quality Assurance Guidelines for Providers of Blended Learning Programmes define blended learning as **always** involving face-to-face learning (2018, p6). During the site visit, TOC characterized aspects of their delivery mode as involving 'virtual face-to-face' learning (online interaction) within a 'virtual classroom' (webinar). Learning modes are also variously characterised as distance learning, online courses and eLearning on the provider website.

The panel notes that clarity surrounding the mode and frequency of learner-tutor interaction was not clear or transparent within the provider's reengagement application. This information was instead established during the site visit, following questioning by the panel. This was a significant omission in the provider's documentation, which needed to be addressed prior to resubmission after the six-month period allocated for implementation of mandatory changes. At a minimum, TOC needed to provide clearly stated definitions of the terms they are using in their QA documentation. These definitions needed to make associated practices transparent, and demonstrate alignment to, rather than divergence from current QQI guidelines.

Regarding the provider's facilitation of 'Virtual face-to-face' learning, the panel found that the current webinar format outlined by TOC staff during the site visit was insufficient to meet the criteria of a rich learning experience. Scheduled webinars were elective, and in instances where learners did not indicate interest in participating may have been cancelled. Webinars that proceeded did not follow a plan or structure that drew upon pedagogic principles for either online or face-to-face interaction, but instead functioned as question and answer sessions addressing questions that may have been course-specific or learner-specific. Within the webinars, there was no evidence of a learning experience that enabled peer-to-peer discussion or learning, or a sense of cohort. The panel noted that during the site visit one TOC tutor described occasional instances of webinars being used to reiterate and clarify specific areas of content that were problematic for learners. However, it was evident that webinars routinely functioned



as a remote version of available office hours for tutoring staff, rather than a meaningful and structured opportunity for working toward achievement of learning outcomes.

TOC had invested appropriately in the production of customized multimedia learning objects for its programmes, which were hosted in a VLE (Moodle). During the panel's site visit to the provider, exploration of this area of the provider's practice established that these are primarily short lectures delivered by the course tutor and accompanied by appropriate visuals or graphics through use of green screen technology. These online videos were provided to augment a booklet of written material which provided the core content for each course. The provision of didactic material of this nature is in itself not problematic. However, in the absence of opportunity for meaningful and learner-centred interaction that explicitly facilitates learning elsewhere in the curriculum, it does not reflect an informed or contemporary pedagogy. In this regard, TOC were directed toward notes on organisational context within the relevant QQI guidelines. These identified that staff with limited knowledge or experience of blended learning as a delivery mode may not appreciate the pedagogical challenges or opportunities it presents, and that learning designed for a face-to-face learning environment is poorly adapted for learners studying in blended learning mode.

"Learners will not generally have a good experience if what they receive are essentially learning resources, lectures and other resources that have been designed for face-to-face learners and made available online" (p. 8).

With regard to this dimension of TOC's QA, the panel identified a mandatory change to the webinar format used by the provider. This was because the current opportunity TOC's webinars provide for synchronous online communication could not be considered equivalent to a synchronous, interactive guided online learning experience with opportunities for learners to communicate with both tutor and peers. In order for TOC's delivery mode to align more closely to the spirit, if not the letter, of QQI's guidelines, this therefore needed to be addressed. TOC's Webinars needed to be redesigned as opportunities for students to interact meaningfully with peers and tutors, and actively work toward achievement of the learning outcomes in a structured and supported environment. The panel noted that TOC signalled an intent to move toward use of Microsoft teams to more effectively host webinars in the future. While this would be a positive step, this did not address the primarily pedagogic concerns raised by the panel in this section.

The panel reconvened in January, 2020 to undertake a desk review of the evidence submitted by the provider that the mandatory changes had been implemented. In the interim period, TOC had undertaken revisions to its webinar format. The panel was therefore satisfied that TOC had appropriately addressed the panel's concerns in relation to this issue.



Evaluation of draft QA Procedures - Overall panel findings

The panel recognized that the provider's QA processes were emerging alongside TOC's growth and maturity as an organisation, and that substantial work had already been undertaken in this area internally. The provider's operations reflected clear strengths in operational, administrative and business-focused areas of activity. Moreover, the provider benefitted from a team of committed staff, and the panel noted the obvious pride expressed by TOC staff in their work for the institution on the day of the site visit.

The main areas of concern for the panel, outlined as mandatory changes and specific advice, related to an imbalance in governance at TOC, which lacked appropriately experienced educational expertise, and a corresponding imbalance in staff profiles, development and practices at other levels of the organisation. This was reflected in the finding of the panel that the provider's application be refused with recommendations at that point in the reengagement process. This outcome enabled TOC to address the *mandatory changes* and return to the panel within a 6-month period for reassessment. The panel's initial report additionally contained two *advised changes* that the panel strongly recommended TOC address during this period, to ensure their QA procedures were robust and comprehensive.

The panel reconvened in January, 2020 to review the evidence submitted by TOC that they had addressed these issues. The panel were satisfied with the substantial work undertaken by TOC to address the panel's concerns. TOC had sought substantial advice from an organisation focused on digital learning and innovation in reviewing its practices. The panel was of the view that TOC's work on its QA Manual had been comprehensive, and the outcome represented a strengthened QA system.



Part 6 Mandatory Changes to QA Procedures and Specific Advice

6.1 Mandatory Changes

There are no Mandatory Changes.

6.1 Specific Advice

The panel commends TOC for its commitment to the reengagement process, and to continual improvement in its QA processes. When the panel reconvened in January, 2020, the panel identified the following items of specific advice for TOC's consideration as it moves forward:

6.1.1 The panel advises that as the role of the educational technologist is deeply integrated with academic activities, this role within TOC could usefully report to the Academic Manager, or an academic function head.

6.1.2 The panel commends TOC on the online CPD module it has established for teaching staff, and recommends that this be regularly reviewed and updated.



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Part 7 Proposed Approved Scope of Provision for this provider

NFQ Level(s) – min and max	Award Class(es)	Discipline areas
5 – 6	Major, Special Purpose Award, Minor	Healthcare & Community Care, Early Childhood Care & Education, Business & Finance, Journalism, Law, Sports & Fitness, Management, Digital Media & IT



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Part 8 Approval by Chair of the Panel

This report of the panel is approved and submitted to QQI for its decision on the approval of the draft Quality Assurance Procedures of The Open College.

Name:

Date: 24 February 2020



Annexe 1: Documentation provided to the Panel in the course of the Evaluation

Document	Related to
Report on Plagiarism within the Further Education & Training Sector from The Open College	The report is intended to inform QQI of issues TOC has encountered in relation to plagiarism and make recommendations based on the provider's experience.
TOC Cover Note – Reengagement resubmission	Evidence of Mandatory Changes
TOC revised QA Manual	Evidence of Mandatory Changes
Reaching in an Online Environment – Course Overview	Evidence of Mandatory Changes
Communication Policy TOC	Evidence of Mandatory Changes
Learnovate – Open College Report	Evidence of Mandatory Changes
Plagiarism Policy	Evidence of Mandatory Changes
Policy on Data Protection	Evidence of Mandatory Changes
Policy on Draft – Final – Repeat Assessment Submissions	Evidence of Mandatory Changes

Annexe 2: Provider staff met in the course of the Evaluation

Name	Role/Position
Joe Walsh	Director & CEO
Michelle Curley	Operations Manager
Richard Wheelan	President
Gerry Clancy	Train the Trainer Tutor
Aibhin Dunne	Head Programme Lead/Tutor Liaison



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	Early Childhood Care & Education Tutor
Mary McGlynn	Careers Manager
Adrian Reen	Education Technologist

Appendix: Provider response to the Reengagement Panel Report



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06/03/2020

Re: Reengagement Panel Final Report – Feb 2020

Dear Deirdre,

The Open College received the reengagement panel final report on 27/02/20 and reviewed it for any factual inaccuracies as requested. There are no notable factual inaccuracies.

We would like to offer our thanks to the panel for their time, diligence and expertise during the reengagement process and we are pleased with the final outcome of the process.

We would also like to thank everyone in QQI for their continued support and for all their assistance throughout the Pilot and Live Reengagement processes.

Yours sincerely,

Michelle Curley
Operations Manager



QQI AWARD