



Provider Access to Initial Validation of Programmes leading to QQI Awards

Report of the Quality and Capacity Evaluation Panel

Stage 1

Assessment of Capacity and Approval of QA Procedures

Part 1 Details of provider

1.1 Applicant Provider

Registered Business/Trading Name:	ULearn Ltd
Address:	89 Harcourt Street, Dublin 2
Date of Application:	7 th December 2017
Date of resubmission of application:	21 st August 2019
Date of evaluation:	10 th October 2019
Date of site visit (if applicable):	10 th October 2019
Date of recommendation to the Approval and Reviews Committee (ARC):	25 th March 2020

1.2 Profile of provider

ULearn was established as an English language school in 1988. It aims to help students to realize their potential for learning the English language while at the same time enjoying their learning and cultural experience. The school aims to provide learners with teaching of the highest quality. As a teacher training centre, ULearn aspires to these same standards of excellence. Its approach is learner-centred with the trainee teacher being placed at the core of what it does.

ULearn's mission is to:



- (1) give every learner a memorable learning experience;
- (2) create an inclusive environment that fosters respect and acceptance;
- (3) provide high quality tuition;
- (4) provide staff and learners with a comfortable, safe, well-equipped environment that is appropriate for educational purposes;
- (5) foster an environment that is progressive, welcoming, friendly, open, relaxed and professional;
- (6) encourage staff to reach the full potential through quality training;
- (7) establish ULearn as the market leader in the industry with a reputation for excellence.

Part 2 Panel Membership

Name	Role of panel member	Organisation
Naomi Jackson	Chair (QA, National Standards and Programme Validation P&P)	Dean of Academic Affairs, CCT College, Dublin
Dr Dermot J Douglas	Secretary (QA, National Standards and Programme Validation P&P)	Independent Higher Education Consultant (former Director of Academic Affairs IOTI)
Rod Bolitho	QA & Subject Matter Specialist	Independent Educational Consultant (formerly Academic Director, Norwich Institute for Language Education (NILE))
John Haagensen	QA & Subject Matter Specialist	Former Quality Manager for Eurocentres
Skye Keene-Babcock	Learner Representative	EL teacher trainee
Sue Engel	QA & Subject Matter Specialist (1 st panel only)	Accreditation and Coordination of English Language Services (ACELS) Inspector & Moderator



Part 3 Findings of the Panel

3.1 Summary Findings

ULearn applied for initial access and programme validation (dual process) on the 7th December 2017 and a panel site meeting took place on 24 July 2018. The recommendation of the panel was to refuse approval of ULearn's QA procedures pending mandatory changes set out in Section 6.1 of this report.

Following resubmission of revised documentation by ULearn, the panel undertook another site meeting visit on the 10th October 2019.

At the 10th October 2019 site meeting, the panel noted that ULearn had significantly and appropriately revised its quality assurance policies and procedures, particularly in respect of governance, roles and responsibilities, committee structures and assessment in response to concerns previously expressed by the panel. Nonetheless, at the conclusion of the site visit, the panel had some remaining concerns around governance and marks and standards (these are set out in Section 6.1 of this report).

However, given that these issues were discrete, and in the panel's view could be addressed quickly by the provider, the panel availed of the option to defer its overall decision for a period of six weeks and allowed ULearn this time to submit evidence to the panel that the issues identified had been satisfactorily addressed. It was the view of the panel that a desk review conducted by the Chair and Secretary would be sufficient to conclude the process.

The Chair and Secretary met on the 17th February 2020 to consider, on behalf of the Panel, the documentation submitted by ULearn in response to the issues raised by the Panel in October and to make an overall recommendation to QQI.

The panel is satisfied that ULearn has addressed or has appropriate plans to address each of the issues identified in July 2018 and, subsequently, in October 2019 and recommends that QQI approve the QA procedures of ULearn as part of the initial access process. The Panel notes that new policy and procedures are currently under development in respect of:

- (a) Revised Policy and Procedure on Academic and Non-Academic Complaints;
- (b) A Marks and Standards Document that conforms to the protocols and conventions of QQI's *Assessment and Standards Revised 2013* (also required by the Programme Validation Report) to support assessment of HE programmes, to include the grading scheme adopted by ULearn, how grades are aggregated into final marks and overall performance, and whether/or how ULearn applies pass by compensation.

The panel is aware that this work has already begun with the help of an external higher education adviser and recommends to QQI that it should not further delay access to validation, but should be treated as a quality improvement process that can be approved by QQI following granting of access to validation.



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

	Tick <u>one</u> as appropriate
Approve ULearn's draft QA procedures	✓
Refuse approval of [the provider's – insert name] draft QA procedures pending mandatory changes set out in Section 6.1 (If this recommendation is accepted by QQI, the provider may make a revised application within six months of the decision)	
Refuse to approve [the provider's – insert name] 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	From the documents provided in support of this application, it is clear that the applicant is an established legal entity who has Education and Training as its Principal Function
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	The applicant established itself as a Private Limited Company, in Ireland, in 1988 and has been trading for the past 30 years. Initially established as Lexicon Languages Ltd, the company registered a change of name with the CRO in 2008 to become known as ULearn Ltd.
4.1.3(a)	Criterion: <i>Are any dependencies, collaborations, obligations, parent organisations, and subsidiaries clearly specified?</i>	Yes	In response to direct questioning, the panel was informed that there were no dependencies, collaborations, obligations, parent organisations, or subsidiaries.
4.1.4(a)	Criterion: <i>Are any third-party relationships and partnerships compatible with the scope of access sought?</i>	Yes	The applicant has confirmed in writing that there are no third-party relationships and/or partnerships.
4.1.5(a)	Criterion: <i>Are the applicable regulations and legislation complied with in all jurisdictions where it operates?</i>	Yes	From discussion and from the supporting documents provided, the panel is satisfied that ULearn complies with its current obligations under legislation and regulation and, as a result of the effort and detail put into its documentation, as well as commitment made during the site visit, that it will make every endeavour to comply with any additional obligations, following



			approval of its QA policies and procedures and validation of the programme submitted.
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	ULearn only operates in Ireland where it is in good standing in terms of the education and training it currently offers.

Findings

The panel, having examined the relevant documents and addressed these criteria during the site visit recommends that QQI **can be satisfied** that ULearn has the capacity to provide quality education and training to learners.

The applicant, through its documentation and in discussion at the site meeting satisfied the panel that it complies with the requirements of Part 4.1 of the Assessment of Capacity and Approval of QA Procedures and satisfies the requirements of each of the criteria, in so far as they pertain to ULearn.

**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>	Yes	The panel received and examined the following documents - (a) CRO Company Printout; (b) Accounts for the years 2015, 2016 and 2017; (c) Tax Clearance Certificate from Revenue dated 12/08/2019 and a letter from ULearn's accountants, dated 1/02/2019, that the company is in good financial standing. Sworn statutory declaration.
4.2.2(a)	Criterion: <i>Does the applicant have a reasonable business case for sustainable provision?</i>	Yes	The panel recommends that QQI can be satisfied that ULearn has a reasonable business case for sustainable provision of this programme, particularly with the termination of ACELS. An acceptable five-year business plan was submitted. However, as presented, the plan assumes no change in income or expenditure over the period of validation of the new programme being proposed by ULearn. ULearn emphasised, in the meeting with the panel, that they felt this to be realistic, as it encompassed both minimum and maximum enrolment and that the costs indicated accommodated any variation that might occur over that period.
4.2.3(a)	Criterion: <i>Are fit-for-purpose governance, management and decision making structures in place?</i>	Yes	The panel has evaluated the application and in particular the Quality Assurance Manual and recommends that QQI can be satisfied , that fit-for-purpose governance, management and decision-making structures are in place.



4.2.4(a)	Criterion: <i>Are there arrangements in place for providing required information to QQI?</i>	Yes	The panel recommends that QQI can be satisfied that arrangements are in place for providing required information to QQI.
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Findings

The panel, having examined the relevant documents and addressed these criteria during the site visit recommends that QQI **can be satisfied** that ULearn meets the resource, governance and structural requirements.

Regarding criterion 4.2.2 (a), the panel is aware that it is difficult to predict into the future but cautioned ULearn that it would be wise to allow a contingency for expected and unexpected changes that might occur as a result of Brexit or other economic perturbations.

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	Given its record and experience with English language teaching over the past 30 years, the panel recommends that QQI can be satisfied that ULearn has experience and a track record in providing education and training programmes
4.3.2(a)	Criterion: <i>Does the applicant have a fit-for-purpose and stable complement of education and training staff?</i>	Yes	The panel recommends that QQI can be satisfied that ULearn has a fit-for-purpose and stable complement of education and training staff. However, the implications of providing this type of programme and quality structures governing its management and delivery will be new to many of them. Few of the staff have any experience in this area and the bulk of the drafting



			of the documents was done by the Director of Education. Training of staff will be an important issue to be addressed if validation is successful in the future. ULearn has confirmed that it is committed to providing necessary training to staff in these areas.
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 recommends that QQI can be satisfied that ULearn has 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).
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	The panel recommends that QQI can be satisfied ULearn has, in general, fit-for-purpose premises, facilities and resources to meet the requirements of the provision proposed. However, concern was expressed about the adequacy of the number of toilets relative to the number of enrolled learners – particularly those available for female use. It was also noted that the ULearn premises is not accessible to wheelchairs. Reference to this is difficult to find on the website. The panel advised that this is essential information for learners and should be made readily visible on ULearn’s website and brochures.
4.3.5(a)	Criterion: <i>Are there access, transfer and progression arrangements that meet QQI’s criteria for approval in place?</i>	Yes	The panel recommends that QQI can be satisfied that access, transfer and progression



			arrangements in place meet QQI's criteria for approval.
4.3.6(a)	Criterion: <i>Are structures and resources to underpin fair and consistent assessment of learners in place?</i>	Yes	The panel has evaluated the proposed assessment structures and recommends that QQI can be satisfied that they are consonant with QQI's <i>Assessment and Standards</i> conventions and protocols.
4.3.7(a)	Criterion: <i>Are arrangements for the protection of enrolled learners to meet the statutory obligations in place (where applicable)?</i>	N/A	Due to the fact that the programme for which validation will be sought is only 4 weeks in duration, this criterion does not apply to ULearn.

Findings

The panel has evaluated the documentation provided and recommends that QQI **can be satisfied** that ULearn meets this criterion.



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

The panel has evaluated the documentation provided and recommends that QQI **can be satisfied** that ULearn meets this criterion.

ULearn has identified and has employed, or is in the process of employing, suitably qualified and experienced staff. Three of the staff listed have experience in Teacher Training. It will be necessary to provide induction to the inexperienced staff to make the transition from being teachers of English Language to training teachers of English Language. This should comprise pre-programme delivery CPD for these staff. The proposed maximum number of learners per intake is 16 and the ratio of staff to learners varies from 1:4 to 1:3, depending on whether it is an input session or a teaching practice.



Part 5 Evaluation of draft QA Procedures submitted by ULearn

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

1 GOVERNANCE AND MANAGEMENT OF QUALITY

Panel Findings:

The panel **recommends** that **QQI can be satisfied** that fit-for-purpose governance, management of quality structures are in place.

Following the site visit in 2018, the Panel noted significant deficiencies in the quality assurance policies and procedures of ULearn and could not recommend that QQI be satisfied that fit-for-purpose governance and management of quality structures were in place. An Academic Committee needed to be established that would be the main internal body with responsibility for:

- Planning, co-ordination, development and overseeing the educational work of the college
- Protecting, maintaining and developing the academic standards of the course (particularly in the context of the NFQ).

The panel underlined that the Academic Committee should have clear terms of reference and clearly stated roles and responsibilities. The majority of members would normally be academic staff members, but also with some representation from the student body and support staff. External advisors may be co-opted to enhance the work of the committees. This type of structure and membership was absent from the 2018 application.

Under Criterion 4.2.3 (a) the lack of clarity about who held senior academic responsibility in ULearn (viz. an analogue for the Registrar of Director of Academic Affairs in other private and public HEIs) was considered by the panel to be both an academic governance and a quality management issue and needed to be addressed.

Following a review of the revised documentation, the panel is satisfied that issues previously highlighted have been satisfactorily addressed. The panel now recommends that QQI can be satisfied that the role of Registrar will be resourced sufficiently to ensure that the person in this role will be recognised as the most senior academic position within the institution; and that, in order to avoid conflict of interest, that ULearn commits to ensure that the Registrar will not be required to undertake any teaching.

The panel recommends that QQI can be satisfied that the Academic Committee is the most senior academic authority in ULearn, with responsibility for overseeing all aspects of academic governance to ensure compliance with external and internal academic regulations, policy and quality assurance standards. The Academic Committee primarily serves to protect, maintain, and develop the academic standards of the programmes and the activities of the College.



2 DOCUMENTED APPROACH TO QUALITY ASSURANCE

Panel Findings:

Following the site visit in 2018, the panel acknowledged that the quality assurance policies and procedures, and other supporting information provided by ULearn, were well-presented and structured and informed by consultation activity undertaken by the provider.

The panel particularly noted the evident intent of ULearn representatives to operate in accordance with requirements and in the interests of best serving their target learners.

However, the panel noted that the QA manual lacked focus and clarity in terms of how it stated policy and described procedures. The manual was overly descriptive concentrating on what is done but failing to indicate why and how things were to be done. The Quality Assurance Manual needed significant review and restructuring.

At that time, the panel **could not recommend** the quality assurance policies and procedures to QQI as meeting the minimum requirements outlined in the QQI Documents of April 2016 – i.e. Policy on Quality Assurance Guidelines and Statutory Quality Assurance Guidelines for Independent/Private Providers.

Important items that needed to be improved included, inter *alia*:

The document submitted was heavy on narrative but lacked clear statements of policy and their enabling procedures in most areas. Assignment of roles and responsibilities to individuals or groups in respect of those policies and procedures needed to be undertaken. Feedback mechanisms and quality improvement procedures needed to be stated.

An example, underpinning this lack of clarity, could be seen in Section 4.8 (p.14) Assessment & Appeals Procedure. The text did not indicate what the policy is or what procedure had to be followed in respect of Assessment or Appeals, or whether this referred to appeals on results of assessment, or the outcome of investigation of any other complaint. Rather, it indicated how procedures might be changed during annual review, but gave no detail, if changes were agreed, as how they were endorsed and implemented and what, if any, role the Academic Committee would play.

Section 14 provided a clear appeal policy in respect of assessments. However, it did not distinguish between a simple recheck of how results were compiled and a full review of the assessment. The procedure assigned responsibility to the Academic Committee. There was little comfort in the procedures to indicate that the Academic Committee, which was entirely external to the organisation, would be either qualified or willing to take on this task. The Academic Committee reported to the Director so internal escalation of the decision from the Academic Council was impossible.

There was no appeals procedure for formal complaints adjudicated by either the DoS or DoE (p. 53).

The responsibilities given to the Academic Committee by ULearn were, in some cases, contradictory. An example was the role that it was assigned in examinations. The panel were informed during the 2018 site visit that the Academic Committee had the responsibility of signing off examination results – acting as the *de facto* Examinations Board. Yet, as shown above, the Academic Committee also had responsibility for adjudicating examination appeals. Such an arrangement would occasion a clear conflict of interest.



The Quality Assurance Manual lacked any formal written policy and procedures that underpinned compilation of marks. There was no Marks and Standards document nor was there reference to QQI's Assessment and Standards document.

ULearn had intended to classify awards, as is the case with the competitor awards it referenced in its submission. However, this is contrary to QQI policy in respect of Awards Classification as given in QQI's Assessment and Standards document— Sectoral Convention 1 states:

Special-purpose awards which have a volume of at least 60 credits and are comparable to a major award (at the same NFQ level) may be classified in accordance with the convention for the relevant major award. Otherwise, awards of this type shall be unclassified.

That panel noted that in any re-submission of the QA manual or the programme, this dilemma would have to be resolved between QQI and ULearn. There needed to be a clear rationale for participant recruitment: particularly in terms of the knowledge, skills, and competence required to undertake the course.

There was inconsistency in the expression of minimum standards for entry, particularly over language qualifications for non-native speakers; in the QA submission, this needed to be clarified through a statement of reasons for setting standards for access – effectively a policy or rationale for access.

There was no provision for Recognition of Prior Learning (RPL), especially as an entry mechanism. This needed to be reviewed as the entry requirements stated that an applicant would have an Ordinary Bachelor's degree or exhibit an equivalent level of learning (not qualification) deemed to be of this level.

A major element of access procedures was the pre-course language awareness test. This was especially important for native speakers of English, but also for non –native speakers. The scope and level of this test was unclear from the QA manual. It remained unclear to the panel whether the programme, to which the QA manual referred, required specific language knowledge (that would be developed on the course) in its entry test.

There was confusion in the documentation about the specified minimum language proficiency required for entry by non-native speakers of English. This varied throughout the documents from IELTS 7.0 to 9.0. This should conform with QQI norms for Higher Education programmes and if it is to vary from these norms then a clear rationale should be given.

The panel proposed that the minimum age specified for entry was removed. It was unlikely, but possible, that someone with an Ordinary bachelor's degree would be below the stated age in the QA manual. However, if someone met all the other entry requirements, with the exception of the minimum age limit, the panel could see no reason for them being excluded.

The QA Manual lacked policy and procedure in the following areas:

*Strategic Planning

*Management of assessment results; record management; management and integrity of results



Following the 2019 site meeting and the review of the revised documentation, the panel **can recommend that QQI be satisfied that** ULearn’s quality assurance policies and procedures now meet the minimum requirements outlined in the QQI Documents of April 2016 – i.e. Policy on Quality Assurance Guidelines and Statutory Quality Assurance Guidelines for Independent/Private Providers.

The panel is assured that appropriate plans to address these issues are now in place.

The panel particularly noted the evident intent of ULearn representatives to operate in accordance with requirements and in the interests of best serving their target learners.

The panel noted that ULearn had taken on board the deficiencies highlighted by the panel previously and had addressed them.



3 PROGRAMMES OF EDUCATION AND TRAINING

Panel Findings:

Following the site meeting in 2018, the panel recommended that QQI **could not be satisfied** that ULearn had appropriate procedures for developing programmes of education and training.

CVs presented indicated that only two of the proposed staff members for this programme had experience in curriculum design. However, it appeared that they did not contribute to the design of this programme.

ULearn had provided a detailed schema in respect of new programme design, approval and validation. However, the detailed procedures did not indicate how, or if, a programme team was empanelled and integrated in its actions. That left open the possibility of a disjointed and disconnected proposal being compiled, as designated actors were selected to conduct research or deal with disparate aspect of the proposed programme. In a small organisation, like ULearn, it also opens the possibility that the entire course content, its delivery, management and assessment will be compiled by one person and that lecturers and tutors will have little involvement in programme design but will only be involved in delivery.

Safeguards needed to be drafted to ensure that that did not take place.

Policies and Procedures in the QA manual did not address the following issues:

- * requirements of the National Framework of Qualifications
- * development of programme and module learning outcomes and how these aligned with national standards on the NFQ
- * involvement of learners, employers and other stakeholders
- * learner workload and ECTS ¹
- * ensuring that the programme complies with QQIs Access, Transfer and Progression requirements, including ULearn's approach to RPL.

There was no formal internal sign off as the Academic Committee was entirely composed of external advisors. The Directors, who had earlier signed off on the proposal to develop the programme (and who would always have the final say from a business perspective whether it is submitted to QQI) were consulted again at that stage thus compromising academic governance.

Criteria for internal approval were not listed.

If ULearn had had a properly constituted Academic Committee with clear authority and criteria to be satisfied in respect of new programme design, then that problem would have not arisen.

¹ Credit is defined as ECTS, not HET credits. ULearn appears to have allocated hours on the basis of 20 notional learning hours per credit, if we assume each ULearn module is to be 2 ECTS. The NQAI Publication, adopted by QQI, *Principles and Operational Guidelines for the Implementation of a National Approach to Credit in Irish Higher Education and Training* states "Under ECTS, one credit is assigned to learning outcomes achievable in 25-30 hours of workload." ULearn would need to amend its submission to conform to this National Approach. Given that the programme appears to be 5 weeks, rather than 4 weeks in duration, there is room to do this easily.



Following the 2019 site meeting, the panel recommends that QQI **can be satisfied** that ULearn has addressed the issues above and now has appropriate plans in place to address the procedures for developing programmes of education and training, including:

- development of programme and module learning outcomes and how these align with national standards on the NFQ
- involvement of learners, employers and other stakeholders
- learner workload and ECTS ²
- ensuring that the programme complies with QQIs Access, Transfer and Progression requirements, including ULearn's approach to RPL

² Credit is defined as ECTS, not HET credits. ULearn appears to have allocated hours on the basis of 20 notional learning hours per credit, if we assume each ULearn module is to be 2 ECTS. The NQAI Publication, adopted by QQI, *Principles and Operational Guidelines for the Implementation of a National Approach to Credit in Irish Higher Education and Training* states "Under ECTS, one credit is assigned to learning outcomes achievable in 25-30 hours of workload." ULearn would need to amend its submission to conform to this National Approach. Given that the programme appears to be 5 weeks, rather than 4 weeks in duration, there is room to do this easily.

**4 STAFF RECRUITMENT, MANAGEMENT AND DEVELOPMENT*****Panel Findings:***

Following the site meeting in 2018, the panel noted the arrangements in place to underpin ULearn's staff recruitment, management, and development processes, as communicated to the panel. There was a clear commitment to staff support and a number of mechanisms in place to enable this, including induction, mentoring, peer observation and financial support for academic development.

The QA manual described a systematic, fair and transparent recruitment processes. Procedures were in place to ensure that staff was appropriately qualified and had the required experience to fulfil their designated roles. ULearn had expressed, in its QA policy, a commitment to employ staff who would help support their drive for quality and progress.

ULearn provided induction for new staff and also had a mentoring system that was conducted on an informal basis that contributed to the development of new hires. ULearn also had a policy and for staff development and training.

New staff observation and feedback as well as a formal staff appraisal process were intended to ensure that staff developed in their roles.

Details of those initiatives were given in the QA manual. However, they simply described what was being done in the organisation. That section of the QA manual would have benefitted if there had been a description of how staff were appraised and by whom; criteria used in class observations of teaching staff; processes for seeking support, financial or otherwise, to develop professional knowledge, skills and competencies.

The panel recommended that QQI **could be partially satisfied** that ULearn had appropriate procedures for staff recruitment, management and development.

Following the site meeting in 2019, the panel recommends that QQI **can be satisfied** that ULearn has appropriate procedures for staff recruitment, management and development.

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

Following the site meeting in 2018, it was evident that ULearn had gathered extensive experience in the delivery of its English Language Education programmes; including subject-matter and delivery expertise. In doing so, it had developed a range of mechanisms to support the delivery, and enhancement of those programmes. ULearn representatives articulated their intentions to provide a suitable and quality assured teaching and learning environment.

While teaching methods to be used were described in the programme proposal, there was no underpinning QA that would provide the basis against which programme monitoring could be mapped and by interrogating appropriate KPIs would facilitate improvement in modes of delivery.

The panel noted deficiencies in the following areas in the QA manual:

5.1 The QA manual lacked any policy on teaching and learning. There was no indication in policy and procedure that the quality of the learning experience was monitored on an on-going basis.

5.2 The QA manual lacked processes that ensured the content of programmes reflected advances in the discipline of training Teachers of English language. There was no policy or procedure to ensure that the pedagogic style incorporated national and international best practice.

The panel recommended that QQI **could not be satisfied** that ULearn had appropriate policies and procedures for teaching and learning.

Following the 2019 site meeting, the panel recommends that QQI **can be satisfied** that the issues outlined above have been addressed ULearn has appropriate plans in place regarding policies and procedures for teaching and learning.

The panel noted improvements in the QA manual to underpin teaching and learning in the HE programme being proposed by ULearn.

The panel recommends that ULearn, in further developing its policy and procedure in this area should clearly distinguish between policy (based on vision, values and principles) and strategy (means of implementing policy in practical terms) and should shift the emphasis more onto learning than teaching.

ULearn should ensure that modern theories of learning are properly represented, in particular that learning is co-constructed in the social environment of the classroom, and that this is facilitated, but not determined, by the actions of the teacher.



6 ASSESSMENT OF LEARNERS

Panel Findings:

Following the 2018 site meeting, the panel recommended that QQI **could not be satisfied** with the assessment of learners' proposals from ULearn for the following reasons:

1. The panel observed that there was little justification in the document of the modes of assessment that were to be applied. A stronger rationale was needed. This needed to be incorporated into an assessment strategy.
2. The QA manual described assessment modalities but did not articulate assessment policy or the procedures that had to be followed to maintain the integrity of each type of assessment.
3. There was no formal policy statement or procedures with regard to formative assessment. It was unclear whether all the assessment modalities mentioned in the QA manual applied to learners who would register on the Teacher Training programme or whether many of them referred only to those following other English language courses.
4. Arrangements for preventing and detecting plagiarism needed to be much clearer, given that the proposed CELT programme had 'fixed' assignments for each course module. Plagiarism policy and procedures should also include cheating, collusion and fabrication.
5. Assessment tasks for programmes on the NFAQ needed to cross refer explicitly to the stated learning outcomes, so that it was clear which tasks accounted for which outcomes. Learning outcomes needed to be more broadly stated if that was to be achieved.
6. As assessment was selective, it was necessary that ULearn specified in the course programme which learning outcomes were to be assessed and how attainment was evidenced.
7. The wording of the assessment criteria needed more care. The panel observed that a consequence of the proposed assessment design and structure of marking schemes had the potential to create problems that would result in learners not achieving the deserved grade.
8. The QA manual needed to address the following assessment requirements:
 1. Learner responsibility for demonstrating learning achievement
 2. How assessment supported standards based on learning outcomes
 3. How assessment promoted and supported effective learning and teaching
 4. The credibility and security of assessment procedures
 5. The regulation of assessment methods, ensuring that they are reviewed and renewed as necessary with the involvement of learners to adapt to evolving requirements
 6. The assessment of learners at appropriate points in the programme and ensuring/to ensure that feedback on the outcomes of assessment is provided to students in a timely and appropriate manner



7. Learners were informed about how, why and when they were to be assessed and provided with feedback on assessment
8. Learners were involved in the periodic review of assessment procedures
9. The processes for assessment, complaints and appeals met the same standards of fairness, consistency and fitness for purpose as assessment in general. In particular, they were straightforward, efficient, timely and transparent.

Following the 2019 site meeting, the panel recommends that QQI **can be satisfied** that ULearn has plans in place to address the issues outlined above and **can be satisfied** with the assessment of learners proposals from ULearn and its commitment to provide a Marks and Standards document that is fully compliant with the protocols and conventions of 'Assessment and Standards' (revised 2013).

The panel note that ULearn wish to classify the award. As this does not currently comply with QQI's policy on awards of this nature any recommendation here is beyond the competence of the panel. This is an issue that must be discussed and agreed between ULearn and QQI, should ULearn successfully validate a programme with QQI.



7 SUPPORT FOR LEARNERS

Panel Findings:

The panel recommends that QQI **can be satisfied** that ULearn has appropriate procedures for learner support.

The panel noted the commitment, communicated by ULearn representatives, to supporting learners participating on its programmes, and its wish to successfully recruit the most appropriate learner-base.

The panel advises that the limitations to this support be published in information provided to learners on ULearn's website. This is particularly important for people who use wheelchairs as the ULearn premises are inaccessible to them and early notice of this would prevent nugatory enquiries from potential applicants requiring special consideration. The panel recommends that such notification should be available on ULearn's homepage and in the relevant brochures.

8 INFORMATION AND DATA MANAGEMENT

Panel Findings:

The panel recommends that QQI **can be satisfied** that ULearn has appropriate procedures for information and data management.

The QA manual contains policy and procedures for monitoring and review, feedback and discussion. Controls and structures are in place for the generation of reports, for monitoring and for management purposes. While key performance indicators are indicated in the QA policy and procedures document these need to be reviewed and expanded as ULearn gains experience in delivering higher education programmes. These data provide essential business and management intelligence and, as such, are important for quality management and quality improvement.



9 PUBLIC INFORMATION AND COMMUNICATION

Panel Findings:

The panel recommends that QQI **can be satisfied** that ULearn has appropriate procedures for public information and communication in respect of the suite of programmes it currently offers. ULearn is committed to publishing its Quality Assurance manual once approved by QQI as well as information regarding the validation of programmes it submits to QQI following validation and all such information as detailed in section 9 of the Statutory Quality Assurance Guidelines developed by QQI in 2015.

10 OTHER PARTIES INVOLVED IN EDUCATION AND TRAINING (incl. Apprenticeships)

Panel Findings:

N/A

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

Following the 2018 site meeting, the panel recommended that QQI **could be partially satisfied** that ULearn had appropriate procedures for self-evaluation, monitoring and review.

The self-assessment submitted by ULearn lacked reflection and did not address areas of strength or weakness under each of the criteria.

What was also lacking from the QA policy and procedures was the type of evidence that ULearn would gather and analyse to underpin achievement of objectives and a quality improvement plan.

Following the 2019 site meeting, the panel recommends that QQI **can be satisfied** that ULearn has appropriate procedures for self-evaluation, monitoring and review.

The continuing development of KPIs by ULearn, as they begin the delivery of higher education programmes, will underpin achievement of objectives, the development of strategy, allow revision of policy and procedures and the development of a quality improvement plan.

Evaluation of draft QA Procedures - Overall panel findings

The panel confirms that ULearn **effectively addressed** and **provided evidence of** addressing the mandatory changes outlined in Section 6.1 of this report. As a consequence, the panel recommends that QQI **approve** ULearn's QA procedures.



Part 6 Mandatory Changes to QA Procedures and Specific Advice

6.1 Mandatory Changes

2018 Application

Following the initial evaluation, the panel found that in order to progress with its application, ULearn would need to redesign and rewrite its Quality Assurance Manual to incorporate the core Statutory Quality Assurance Guidelines for use by all providers. The QA manual should have clear policy and accompanying procedures (that detail the what, who, how of implementing each policy as well as, where relevant providing details of KPIs to be assessed and review cycles for each policy that will underpin quality improvement).

Areas that had to be addressed in the re-drafted QA Manual included:

- Financial Viability;
- Academic Governance;
- Academic Leadership;
- Strategic Planning;
- NFQ QQI Awards Standards;
- Revision of the Quality Assurance manual to clearly state individual policies and their accompanying procedures, key performance indicators (KPIs) and how they may be reviewed and implemented in line with QQI's Statutory Guidelines;
- Quality Improvement strategy;
- New programme development and approval;
- Policy and procedure on the ULearn approach to credit allocation;
- A more coherent teaching and learning strategy;
- A more coherent assessment strategy;
- Compliance with QQI's Assessment and Standards;
- Adaptation and incorporation of QQI's Effective Practice Guidelines for External Examining (Feb 2015) into its Moderation Policy and Procedures as appropriate;
- A 'Marks and Standards' section to show how grades are accumulated and awarded;
- Staff training and development to ensure staff are aware of their specific obligations should the programme be validated (issues include participation of teaching staff in programme design and delivery, relating assessment to module learning outcomes; ECTS; QA obligations etc);
- Arrangements to supply information to QQI were not viably established, as the structure of an examination board to underpin the integrity of results, as well as its roles and responsibilities, membership and procedures, had yet to be described;



- The policy and procedures on plagiarism needed to be reviewed and revised - the policy should also include fabrication and collusion;
- Academic appeals.

2019 Application

The following proposed mandatory changes were identified at the conclusion of the site visit on the 10th October 2019 by the panel. The panel availed of the option to defer its decision to allow ULearn an opportunity to address these issues within a six-week period:

- (1) Academic Governance - there was still some lack of clarity in the separation of roles between corporate and academic governance. While recognising that ULearn is a small and flat organisation, there remained confusion over specific roles and responsibilities and how they intersected. It was suggested that that might be overcome by having a Senior/Executive Management responsible for Strategy and executing the decisions of the Board; and an Operational Management structure that would be responsible for the efficient day-to-day running of the College. The position of the Academic Committee needed to be included in the Organisational Chart and the new Chart supplied showed the Registrar as an isolated position with no operational functions reporting directly to him/her in relation to the Standards and QA of higher education programmes that might be offered by the College. The role of the Academic Committee in approving financial decision needed to be changed – this was, clearly, the responsibility of the Board and/or Senior Management.
- (2) It is clear that the Registrar is in an Academic Leadership position. However, the Registrar is also involved in teaching on the programme. The QA manual must include clear policy and procedure to ensure that conflict of interest does not arise from this duality.
- (3) The panel recognises that there is a small staff complement in the College and appreciates that some employees will, of necessity, occupy multiple roles. The important consideration here, is to ensure that an individual does not have conflicting responsibilities or is responsible for reporting to him/herself.
- (4) The panel recognises that ULearn has developed policies and procedures to ensure a level of externality in its decisions. However, the panel notes that this may have gone too far in terms of having an entirely external Appeals Board. The panel advised ULearn, at the meeting that this would be better structured with an external Chair and two internal ULearn members, who would have had no involvement in the issues being appealed. The panel also noted that the right of representation of students at hearing of appeals was unclear and needed to be re-drafted.
- (5) The panel also noted that the Appeals Board, as constituted, was intended to deal with all appeals. The panel advises ULearn that the QA manual provides separate policy, procedures and structures to deal with **Academic Appeals/Academic Discipline** issues and a formal **Complaints** policy, procedures and structures that would deal with interpersonal issues, infringement of rights and behavioural problems.
- (6) The role of Examination Boards needs to be confined to the roles specified in QQI's Assessment and Standards.
- (7) A marks and standards document should define which grading system the College is using (percentage or alpha) and how marks awarded for units are aggregated into an overall mark.
- (8) There should be a clear rule provided governing whether pass by compensation is permitted.



The Chair and Secretary reconvened, on behalf of the panel, on the 17th February 2020 to consider the evidence subsequently submitted by ULearn.

The panel is satisfied that ULearn has addressed and agreed each of the above stated issues and recommend that QQI approve the QA procedures of ULearn. The panel notes that new policy and procedure is currently under development in respect of approving new policy on:

- (a) Revised Policy and Procedure on Academic and Non-Academic Complaints;
- (b) A Marks and Standards Document that conforms to the protocols and conventions of Assessment and Standards Revised 2013 (also required by the Programme Validation Report) to support assessment of HE programmes to include the grading scheme adopted by ULearn, how grades are aggregated into final marks and overall performance, and whether/or how ULearn applies pass by compensation.

The panel is aware that this work has already begun, with the help of an external higher education adviser and recommends to QQI that it should not further delay access to validation, but should be treated as a quality improvement process that can be approved by QQI following granting of access to validation.

6.2 Specific Advice

N/A

Part 7 Proposed Approved Scope of Provision for this provider

NFQ Level(s) – min and max	Award Class(es)	Discipline areas
Level 7	Special Purpose Certificate	English Language Teaching



QQI

Quality and Qualifications Ireland
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

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 ULearn.

Name: Naomi Jackson

Date: 6th March 2020



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

Document	Related to
ULearn Application form	Initial Access to Validation
ULearn IAV Self Assessment report	Initial Access to Validation
ULearn Quality Manual	Initial Access to Validation
ULearn Moderation Handbook	Initial Access to Validation
ULearn Company Printout 2017	Initial Access to Validation
ULearn Abridged Accounts 2016	Initial Access to Validation
ULearn Insurance Policy 2017 -2018	Initial Access to Validation
ULearn Organisational Chart	Initial Access to Validation
ULearn Statutory Declaration	Initial Access to Validation
ULearn Tax Clearance Certificate 2016	Initial Access to Validation
Quality Assurance Guidelines (20160	QQI policy
Statutory Quality Assurance Guidelines for Independent/Private Providers	QQI policy
Provider Access to Initial Validation (Application Guidelines)	QQI policy
Guidelines for Completing the QQI Independent Evaluation Report	QQI policy

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

Name	Role/Position
Ciaran McMahon (1 st meeting only)	Director
Neil McMahon (2 nd meeting only)	Director
Neelan Govender	Registrar
Lynda Kennedy (1 st meeting only)	Course Tutor
Roisin Moore (2 nd meeting only)	Director of Studies
Paul McGill (2 nd meeting only)	School Manager
Touria McKee (2 nd meeting only)	Teacher Trainer

Appendix: Provider response to the Reengagement Panel Report

Private and Confidential
13/03/2020

Ms. Naomi Jackson,
c/o Ms. Liliana O'Reilly,
QQI,
26/27 Denzille Lane,
Dublin 2.

Formal response to Panel Initial Access to Validation report

Dear Ms. Jackson,

Thank you and Dr. Douglas for your comprehensive report to which I am happy to reply. I will refer to the template used in the more recent report received to ensure ease of reference.

3.1 Summary Findings

ULearn commits to closely and consistently follow the

- (a) Revised Policy and Procedure on Academic and Non-Academic Complaints;
- (b) A Marks and Standards Document that conforms to the protocols and conventions of QQI's *Assessment and Standards Revised 2013* in the revision and overhaul of its current Quality Assurance Manual. It is also commits to treat the outstanding work required as a quality improvement process, with the intention of working closely with QQI in this regard.

4.2.2a

At the time of writing this response, ULearn is prioritising its day to day operational activity to ensure its staff and its learners are as protected as possible from any exposure to the Corona virus threat. Like everyone else, I hope this matter resolves itself in an efficient and hopefully non-life threatening manner. The timeframe on this cannot be identified currently.

Upon return to normal day-to-day business activity in the sector, ULearn commits to cost any new validated programmes on the basis of having both a minimum number of learners and a maximum number of learners.

ULearn in its management of the overall college is planning for external events such as Brexit and appreciates the advice offered in the report from the panel chair.

4.4

ULearn commits to provide induction to the more inexperienced staff to make the transition from being teachers of English Language to training teachers of English Language. It also accepts the staff/learner ratios as presented. Costing implications for same will be integrated into forward financial planning and in advance of new programme validation submissions.

5.1. Governance and Management of Quality

ULearn intends to sufficiently resource the role of Registrar. It recognises that this role/function is recognised as the most senior academic position in the college. It also recognises that for this role to optimally function that the person undertaking this role will not be required to undertake any teaching duties.

ULearn fully recognises that the Academic Council will be the most senior academic authority in ULearn.

5.2 Documented Approach to Quality Assurance

ULearn will be happy to proceed with an Unclassified Award classification in the immediate instance. It does however request that it may engage with QQI going forward on this matter.

The Quality Assurance Manual is currently undergoing a wide-ranging overhaul by an experienced person in this area. The QQI Marks and Standards document and the QQI Assessment and Standards document will form the basis for relevant sections in the revised Manual.

5.3 Programmes of Education and Training

- An enhanced programme team will be involved in the submission of any new programme validation documents and a newly formulated Academic Council will review and have final sign-off on same.
- Programme Learning Outcomes and Module Learning Outcomes will be clearly aligned with the national standards on the NFQ.
- Any new programme will comply with QQI's Access, Transfer and Progression requirements.
- As we hope to enter into teaching on a new NFQ level, the area of RPL will become more salient. I plan to use external expertise in this area to ensure the college is implementing the concept of RPL correctly and fully in line with QQI requirements.

5.4 Staff Recruitment, Management and Development

The revised Quality Assurance Manual will place additional emphasis on the area of Continuous Professional Development for teachers on all programmes delivered in the college. Costing implications for same will be integrated into forward financial planning

5.5 Teaching and Learning

- ULearn particularly welcomes guidance on this area from the panel chair. The college recognises that the primary emphasis should be on learning as distinct from teaching (whilst recognising both are key priorities in the delivery of a teaching and learning strategy).
- The requirement in the report for ULearn to differentiate between policy decisions and strategy implementation will be a key capstone in the development of the new Quality Assurance Manual.

5.6 Assessment of Learners

ULearn is committed to provide a relevant Marks and Standards document which will be fully compliant with the protocols and conventions of QQI Assessments and Standards (revised 2013).

5.7 Support for Learners

ULearn recognises the importance of transparent and understandable communication to potential learners, particularly as English will normally not be their native language. The college will continue to use its website and all printed marketing materials to indicate (and where necessary, more clearly) any limitations to its service delivery that the college has, particularly in relation to physical accessibility to the college buildings.

I wish to thank the panel chair for recognising the support that the ULearn staff continually offer to our learners to ensure they receive a positive learning experience from ULearn.

5.8 Information and Data Management

The revised Quality Assurance Manual will ensure that access to relevant information to all stakeholders will be easily facilitated and professionally presented.

5.11 Self-Evaluation, Monitoring and Review

The experience in engaging with QQI over this period has helped the school. There is agreement between management and staff that implementing the required measures for self-evaluation, monitoring and review have and will help ULearn to improve as an organization. The college appreciates the value of the guidance this evaluation framework can bring.

6.1 Mandatory Changes

All Mandatory Changes are fully accepted by me as Managing Director. As indicated in my previous response, these are being actively worked on with the help of an external education advisor. I am looking forward to working closely with QQI in relation to the new programme validation process and

I want to take this opportunity of thanking the panel for their input, feedback and guidance over the course of our engagement.
I hope the above response addresses the relevant points from the report and if you have any queries, please come back to me at any stage.

Sincerely,



Neil Mc Mahon
CEO
ULearn