

National College of Ireland
Certificate in Workplace Adjudication,
Special Purpose Award
Level 8, 20 ECTS

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1 Panel of Experts Report

PANEL OF EXPERTS' REPORT

PART I: PREAMBLE

1.1 DETAILS OF VALIDATION EVENT

PROVIDER	National College of Ireland
DATE OF VISIT	18 th June 2013
PROGRAMME(S) EVALUATED	Certificate in Workplace Adjudication, Special Purpose Award Level 8 , 20 ECTS
PROGRAMME RECOMMENDED FOR APPROVAL	Certificate in Workplace Adjudication
PANEL OF EXPERTS	Mr. Danny Brennan, Former Registrar, Letterkenny Institute of Technology Mr. James Bridgeman, Lecturer in Law, IT Tallaght & Barrister Mr. Brendan Kirwan, Barrister <i>In attendance:</i> Sinéad O'Sullivan, Director of Quality Assurance & Statistical Services, NCI (<i>Rapporteur</i>)

1.2 SUMMARY

The Expert Panel, having reviewed the documentation presented by NCI and considered the responses of the programme team during the course of the site visit; recommend approval of the following programmes

Certificate in Workplace Adjudication with no (0) conditions and four (4) recommendations.

1.3 CONTEXT

This validation process was undertaken with the agreement of QQI under HETAC's policy for the devolution of responsibility for validation sub processes which is outlined in Core Validation Policy & Criteria 2010 (p15) The devolution of responsibility for validation sub processes (DRSVP) at National College of Ireland applies to taught programmes up to level 9 of the National Framework of Qualifications that are developed and delivered solely by NCI within the jurisdiction of the Republic of Ireland. Programme disciplines are restricted to Business and Computing and programmes validated using this process are currently agreed with QQI on a case by case basis.

On agreement with QQI, the validation event proceeded without receipt of a desk review report. The panel members were nominated by NCI using criteria agreed with QQI.

A representative of the Quality Assurance & Statistical Services (QASS) Office co-ordinated provision of submission documentation and the validation event. It provided administrative support to the panel during the event as rapporteur. This representative was not a member of the panel nor did she take part in the deliberations of the panel.

The QASS office acted as liaison between the panel and the programme team members in relation to the issuing of the panel's report and the programme team's response to that report.

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This report is the agreed report of the panel members.

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PART II: REPORT OF PANEL OF EXPERTS

2.1 INTRODUCTION

The National College of Ireland (NCI) has two schools – Business and Computing. Both schools provide a range of education programmes which are accredited by HETAC and FETAC. Its core activity centres on human resource management and industrial relations. The college has a diverse learner profile of approximately 3,000 learners. Of these, more than 50% are part-time.

The development of the programmes reviewed by this panel arose from an approach by the Department of Jobs, Enterprise and Innovation (the Department) to the NCI. This programme is designed specifically for those who wish to be considered for appointment as adjudicators to the Workplace Relations Commission or as members of the Labour Court in the reformed employment rights dispute resolution system. The programme has been designed to give existing and potential adjudicators a thorough grounding in a number of key legal areas that will impact on their practice: including constitutional, administrative, human rights and evidence law. Equally, this is balanced by the inclusion in the programme of several practical workshop-type modules designed to enhance learners' skills in conducting hearings, dealing with parties and their witnesses and writing up formal reasoned decisions. The practical sessions, in particular, may be led by experienced judges who sit (or sat) in a range of jurisdictions. The programme has been designed to encourage active participation and cross-learning between learners.

Whilst the legislation is not yet in place which will create the environment for this programme, the Department is keen that the programme is in place and that graduates are available for when the legislation is enacted.

2.2 EXAMINATION OF PROGRAMMES

The panel met with staff of NCI involved in the design of the programme, to examine the programme submission against the criteria for the validation of programmes as stipulated by the Council. In this regard, the HETAC's *Core Validation Policy and Criteria, 2010* was used by the Panel. The *Certificate in Workplace Adjudication* was developed using HETAC's award standards for business at level 8 of the National Framework of Qualifications.

2.2.1 DEVELOPMENT AND PUBLICATION OF EXPLICIT INTENDED LEARNING OUTCOMES

The programme submission documents, together with outcome of discussions with NCI staff articulated the target learners' prerequisite learning and any other relevant assumptions about programme participants. The Panel heard that for entry to the programme would be for those with non- cognate level 8 awards or equivalent. Recognition of Prior Learning (RPL) would also be used for those who did meet the minimum academic requirements. The Panel expressed the view that the documentation related to recognition of prior learning should be amended to allow RPL to be assessed against generic standards rather than business standards in order to ensure that the appropriate audience would be attracted to the programme. Reference to post-qualification experience in an RPL context could also be misleading. The minimum intended programme learning outcomes for each of the programmes are consistent with the HETAC Business awards standards and the relevant National Framework of Qualifications (NFQ) award-type descriptor. The panel expressed the view that the Programme Learning Outcomes could possibly be condensed.

PROGRAMME CONTENT AND LEARNING ENVIRONMENT

The Panel was satisfied that the programme team was competent to enable learners to achieve the intended programme learning outcomes and to assess their achievements, in accordance with HETAC's *Assessment and Standards 2009*. The Panel reviewed the programme content including reading lists and considered it appropriate with some observations as outlined in 2.2.2 below. In general the panel recommends that the module curriculum is worded to allow for legislative changes both to deal with

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any unforeseen requirements emanating from the legislation relating to the reform agenda and for legislative changes that normally occur in this dynamic area.

The Panel is satisfied that the programme’s learning environment (including the physical and social) was consistent with the intended programme learning outcomes and that the places at which, or virtual spaces within which, instruction is to be provided were suitable and fit for purpose.

The Panel also noted that the NCI has a policy which provides for reasonable accommodation for people with disabilities (including access), in accordance with best practice and *Policies, Actions and Procedures for Access, Transfer and Progression for Learners* (NQAI) 2003.

2.2.2 ENABLING THE ACHIEVEMENT OF THE INTENDED PROGRAMME LEARNING OUTCOMES

The Panel was satisfied that authentic learning opportunities existed which would enable the efficient and reliable attainment of the intended programme learning outcomes, subject to the learner making a reasonable effort and complying with the programme’s conditions. The programme’s strategy for enabling learners to move from the minimum access standard to the minimum intended programme learning outcomes is explicit, realistic and viable. The panel was satisfied that the assessment strategies were appropriate to the programme. The panel did express the view that the stated contact hours as 45 hours lecture for the *Legal Framework of Workplace Adjudication* module should be reviewed and that the contact hours should be stated as meeting the teaching strategy as outlined at the panel event e.g. breakout sessions, seminars, workshops etc. This is to demonstrate the practical aspects of the module.

2.2.3 ACTIONS AND PROCEDURES FOR ACCESS, TRANSFER AND PROGRESSION FOR LEARNERS

The Panel was satisfied that the procedures for access, transfer and progression are consistent with national policy. Furthermore, learners are advised appropriately regarding their entitlement to enter a particular profession or progress to another programme based on successful completion of the proposed programme.

The programme’s use of *ECTS* (credit) and provisions for Recognition of Prior Learning (RPL) is consistent with HETAC’s *Assessment and Standards 2009* and with relevant national policy including:

- i. NQAP’s *Principles and Operational Guidelines for the Implementation of a National Approach to Credit in Irish Higher Education and Training 2006*
- ii. NQAP’s *Principles and Operational Guidelines for the Recognition of Prior Learning in Further and Higher Education and Training 2005*

2.2.4 EDUCATION AND TRAINING NEEDS

The Panel was satisfied with the evidence provided that the programme meets the target learners’ education and training needs and that this was informed by the views of appropriate stakeholders such as the Department of Jobs, Enterprise and Innovation.

2.2.6 PROGRAMME VIABILITY

The Panel was satisfied that the programme is consistent with the provider’s mission and strategy. Furthermore, it noted that the provider had presented a viable delivery/business-plan for the programme.

2.2.7 LEARNER PROTECTION

NCI’s policy is that once a programme has commenced, the programme will be completed for all learners enrolled. NCI is currently in the process of arranging learner protection to allow learners to transfer to other institutions for all of its programmes as it was not previously subject to this legislation as a not-for-profit organisation. Until these arrangements are in place, NCI will place sufficient funds in a blocked account to allow refund of all fees as required as required by the Qualifications & Quality Assurance Act 2012, 65(4b), for each cohort of this programme submitted for validation until the cohort has completed its study programme and assessment or until such time as an agreement is made with two alternative providers to allow learners to transfer to a similar programme. This policy is

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subject to the approval of QQI. It is recognised that NCI will be the sole provider of this programme and that in the unlikely event of it not being able to complete the programme, QQI will be required to assist in the placement of learners as legislated for by the Section 6 of Qualifications & Quality Assurance Act 2012.

2.2.8 ASSESSMENT OF LEARNERS

The programme’s learner assessment methods are fully elaborated and the Panel was satisfied that these were consistent with HETAC’s *Assessment and Standards 2009*. The programme and module assessment strategies (*for both formative and summative assessment*) are both clear and appropriate and provide for the verification of the attainment of the intended learning outcomes.

2.2.9 QUALITY ASSURANCE ARRANGEMENTS

The panel heard how the submission had been developed, including provision for on-going monitoring of the achievement of the programme’s objectives..

The programme team have responsibility for ensuring that the academic processes within the School of Business accord to wider NCI quality procedures which are agreed with HETAC.

2.2.10 ETHICS

It is expected that providers will have procedures in place to ensure that any teaching and learning or research activity at any level shall be conducted in a manner that is morally and professionally ethical. The panel was satisfied that this requirement has been met in respect of the proposed programme.

2.2.11 PROGRAMME TITLES AND AWARD TITLES

The Panel accepted the programme titles as proposed as being appropriate, clear, accurate and fit for the purpose of informing prospective learners and other stakeholders and in accordance with the Council’s related named award title convention.

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PART III: RECOMMENDATION/COMMENT

FOR THE ATTENTION OF THE ACADEMIC COMMITTEE

3.1 Recommendations:

The panel of experts recommend the validation of the following programmes

NFQ Level	<i>Level 8</i>
Programme Title	<i>Certificate in Workplace Adjudication</i>
ECTS	<i>20 ECTS</i>
Award Type	<i>Special Purpose Award</i>

for the purposes of the award of:

Subject to:

QQI's general conditions of approval under Section 84 Transition and Savings Provision, 2012 Act

3.2 Conditions

None

3.3 Recommendations

- R1. Text regarding the assessment of how recognition of prior learning is achieved with reference to the generic award standards rather than the business award standards and general experience rather than post-qualification experience is used
- R2. Programme learning outcomes are reviewed with a view to condensing where appropriate
- R3. Module content as phrased as indicative in order to allow flexibility to add new legislation or contexts
- R4. The stated contact hours for the Legal Framework for Workplace Adjudication module are differentiated between lecture, seminar, workshop etc as outlined by the programme team when describing the teaching & learning strategy

APPENDIX

LIST OF COLLEGE STAFF MET DURING THE COURSE OF SITE VISIT

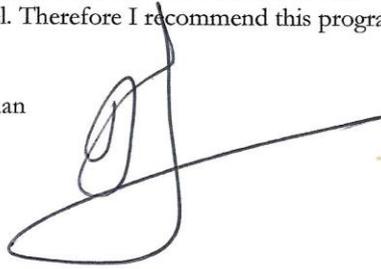
Prof. Jimmy Hill – Vice President & Dean of School of Business
Mr. Colin Whitson – Vice Dean, Undergraduate Studies, School of Business
Ms. Karen Murray – Lecturer, Law
Mr. Alan Haugh – Associate Lecturer, Law
Mr. Enda Murphy – Assistant Principal at the Department of Jobs, Enterprise and Innovation
Ms. Deirdre Giblin, Head of Professional Training & Education, NCI

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Reaction of the Panel to the Programme Team Response

I have read the amended submission document and I can state that it conforms to all the conditions made by the panel. Therefore I recommend this programme for validation to QQI

Mr. Danny Brennan
Chair



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2 Programme Team Response

Mr. Danny Brennan
Chair

Dear Danny

I refer to the panel report for the Certificate in Workplace Adjudication which was evaluated on Tuesday 18th June 2013. The Programme Team has considered the report and its response to the recommendations made are laid out in the table below. These changes are reflected in the accompanying revised programme documents

Response of the Programme Team to Panel Recommendations

Recommendation	Response
R5. Text regarding the assessment of recognition of prior learning is achieved with reference to the generic award standards rather than the business award standards and general experience rather than post-qualification experience is used	This has been amended in section 5 and 6.4
R6. Programme learning outcomes are reviewed with a view to condensing where appropriate	Learning outcomes 1 and 2 have been combined. The Minimum Programme Learning Outcomes and Award Standards have been amended accordingly (see paragraph 6).
R7. Module content as phrased as indicative in order to allow flexibility to add new legislation or contexts	The heading 'Indicative Module Content' has been inserted into paragraphs 7.1.3 and 7.2.3 to describe the content of the modules. The index has been amended accordingly.
R8. The stated contact hours for the Legal Framework for Workplace Adjudication module are differentiated between lecture, seminar, workshop etc as outlined by the programme team when describing the teaching & learning strategy	The contact hours for the Legal Framework for Workplace Adjudication module are divided between 30 lecture hours and 15 seminar hours (see paragraph 7.1).

If this response is acceptable to the Panel, I would be grateful if **you could sign the declaration on page 6 of the final report** of the panel (attached) and return the attached final report by Wednesday 26th June so that the programme can be forwarded to QQI for consideration at its next IAG meeting.

Yours sincerely



John McGarrigle
Registrar & Company Secretary

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3 Programme Schedule

Name of Provider		National College of Ireland												
Programme Title (i.e. named award)		<i>Certificate in Workplace Adjudication</i>												
Award Title (HETAC named award)														
Modes of Delivery (FT/PT/ACCS/BLENDED/OC etc.)		PT, OC, BLOCK												
Award Class	Award NQF Level	Award EQF Level	Stage	Stage NQF Level	Stage EQF Level	Stage (ECTS)	Credit	Date Effective	ISCED Subject Code					
Special Purpose	8	6	AWARD	8	6	60		January 2014	340					
Ref	Module Title	Semester	Module		ECTS Credit Number	Total Student Effort			Allocation of Marks					
			Status (M/E)	NQF Level		Total Hours	Contact Hours	Independent Learning	CA %	Project %	Practical %	Final %	Total %	
	Legal Framework for Adjudication		M	8	10	250	45	205		100%				100
	Adjudication in Practice		M	8	10	250	50	200	100%					100
Special Regulations:														

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4 NCI Memo on Context of Validation

**National College of Ireland
Validation of :
Certificate in Workplace Adjudication**

These programmes were evaluated using HETAC's policy for devolution of validation sub-processes as authorised by QQI. Having been approached by the Department of Jobs, Enterprise and Innovation to develop the programme in March 2013, NCI requested that this programme be included in schedule of programmes to be validated in this academic year. The programme was submitted to QQI in May 2013. A desk review had not been received from QQI, however permission to proceed with the panel was given.

Membership of the original Expert Panel was agreed with QQI's Programme Accreditation Unit. However, having read the programme documentation, a panellist (Ms. Joan Carmichael) withdrew due to concerns over conflict of interest. As a result Mr. Brendan Kirwan joined the panel at very short notice. No member of the revised panel has indicated a conflict of interest and has signed a declaration to that effect.

The panel considered the programmes' submission documents, self-evaluation report. The final report was agreed by the panel. The programme team's response to the Expert Panel's agreed report has been considered by the panel and the Chair has indicated in the final report that the panel is happy that the conditions of the report have been fulfilled and that the programmes should be recommended to QQI for approval.



John McGarrigle
Registrar & Company Secretary
24th June 2013

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