



QQI

Quality and Qualifications Ireland
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

WHITE PAPER

Policy and Criteria for Higher Education and Training Legacy Voluntary Providers Continuing Access to Validation Leading to QQI Awards

FOR CONSULTATION

QQI White Papers contain proposed QQI policy for public consultation and information. Following publication and consideration of the outcomes of consultation, they lead to draft QQI Policy which is adopted by the Board of QQI. Once adopted, QQI policy and procedures are developed and implemented accordingly.

This White Paper proposes policy and criteria pertaining to the re-engagement of higher education and training (HET) legacy voluntary providers with QQI for the purpose of continuing access to validation of programmes leading to QQI awards.

QQI is seeking feedback from stakeholders on the policies contained in this White Paper.

Submissions can be emailed to
consultation@QQI.ie

The closing date for submissions
is **Friday 9 May 2014**.

In your submission please clearly indicate:

1. *Your contact details.*
 2. *Whether you are responding as an individual or on behalf of an organisation.*
 3. *If you do not wish your submission to be published.*
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1 INTRODUCTION

Access to validation of programmes leading to QQI awards is dependent on the approval of provider Quality Assurance (QA) procedures by QQI. Section 84 of Qualifications and Quality Assurance (Education and Training) Act, 2012 (the 2012 Act) allowed for the transition of all providers that had a QA agreement with one of the former QA agencies (the FET and HET Awards Councils and the National Qualifications Authority of Ireland) to engage with QQI on a temporary basis until such time as new QQI policies and procedures were developed and commenced. QQI engagement with higher education and training (ET) legacy voluntary providers is currently on the basis of this transition provision and relies on the legacy policies of the HET Awards Council. This document sets out the approach of QQI for the publication of QA guidelines and criteria for HET legacy voluntary providers under Section 27 of the 2012 Act and the approval of QA procedures, based on the Guidelines and Criteria, by QQI under Section 30 of the 2012 Act.

For new providers, or for providers with whom an HET Awards Council QA agreement had lapsed, access to QA engagement with QQI is established through the *Initial Access to Validation of Programmes Leading to QQI Awards* process¹. This paper specifically concerns itself with HET legacy voluntary providers.

Review of the effectiveness of providers' QA procedures was a compulsory requirement of the *Qualifications (Education and Training) Act, 1999* (the 1999 Act). In the lifetime of the HET Awards Council, most HET legacy voluntary providers underwent statutory review of the effectiveness of their QA procedures. At the time of amalgamation the cycle of statutory review of HET providers was not fully completed and a cohort of providers, consisting solely of HET legacy voluntary providers, had not undergone a statutory review. The approval of QA procedures for this cohort in particular is being prioritised for attention by QQI.

¹ Details of the Initial Access Process are available [here](#).

Following on from the QQI White Paper *Re-engagement with Legacy Providers: Overarching policy*², with the exception of Institutes with Delegated Authority from the HET awards council (i.e. the 13 Institutes of Technology) all providers currently offering programmes that lead to HET Awards Council awards are categorised as HET legacy voluntary providers. A full list of these can be accessed [here](#).

In cases where HET legacy voluntary providers are also FET legacy voluntary providers, this paper is appropriate.

The interpretation of the term ‘provider’ is based on the concepts set out in the 2012 Act. Being considered a ‘provider’ by QQI does not confer any status on a provider in and of itself³. Recognition is of programmes leading to awards in the National Framework of Qualifications.

1.1 PURPOSE OF THIS PAPER

The key purpose of this paper is to move providers out of the current transition arrangements and into a position of engagement with QQI, on the basis of the functions set out in the 2012 Act. Section 84 of the 2012 Act allowed for the transition of all legacy providers to engagement with QQI on a temporary basis until such time as new QQI policies and procedures were developed and commenced. QQI engagement with HET legacy voluntary providers is currently on the basis of this transition provision and relies on the legacy policies of the former HET Awards Council. The transition status for each HET legacy voluntary provider is temporary and will expire by a specified date. This means that the QA agreement and validation of programmes, established through the legacy policies and procedures of the HET Awards Council, will expire on this date and QQI certification processes will be no longer available to providers.

² Published alongside this White Paper.

³ See [Initial Access to Validation of Programmes Leading to QQI Awards](#) for an explanation of this.

The key purpose of this paper also encompasses a range of objectives, which are:

1. To set out the QQI Guidelines and Criteria and approach to QA approval

QQI is a new QA agency established in the 2012 Act. This paper sets out for consultation the proposed QQI Guidelines and Criteria for the QA procedures of HET legacy voluntary providers and the approach and process for QQI to meet the statutory requirement to approve HET legacy voluntary providers' QA procedures.

2. To provide a tailored approach for HET legacy voluntary providers

This paper sets out a specific approach for HET legacy voluntary providers. It allows them, on a one-off basis, and for the purpose of transferring to engagement with QQI, to apply to QQI for the approval of their QA procedures using a process that takes into account their prior QA agreement with the HET Awards Council and the outcomes of the statutory review of the effectiveness of their QA procedures. When this process has closed, all subsequent voluntary provider applications seeking approval of QA procedures will be made through the *Initial Access to Validation of Programmes Leading to QQI Awards* process.

3. To commence the process of engagement between QQI and voluntary providers based on the 2012 Act

Provider engagement with the former Awards Councils was based upon the statutory agreement of QA procedures and the periodic monitoring and review of the effectiveness of these procedures set out in the 1999 Act. These requirements are continued in the 2012 Act together with additional statutory requirements.

QQI approval of provider QA procedures places engagement on a new legal footing and forms the basis of all consequent interactions between providers and QQI. This will be captured in a Provider Lifecycle of Engagements with QQI. The concept of a Provider Lifecycle of Engagements is also being introduced

by QQI to identify, organise and communicate the range of engagements between QQI and individual providers, based on the functions set out in the 2012 Act. Voluntary providers will have a particular set of obligations and entitlements based on their particular status and services sought from QQI. The Provider Lifecycle of Engagements model is intended to highlight the provider's wider responsibilities as a member of the national and international education and training community.

4. To ensure that providers are operating effective QA procedures that will encourage public confidence in the quality of the education and training system

The role of QQI as an external QA agency is to externally evaluate providers' QA procedures to ensure public accountability and provide public confidence in them. The formal published evaluation of provider QA procedures by QQI improves public confidence in the programmes offered by providers e.g. that they enable learners to achieve intended learning outcomes and provide them with a well-supported learning experience.

As well as its role as an external QA agency, QQI also acts as the awarding body for HET legacy voluntary providers. Whilst QQI sets standards for awards, it does not, as some other awarding bodies do, develop or provide programmes to providers, or give them learner assessment support. Providers must take responsibility for developing, maintaining and providing their programmes, as well as for the internal QA of these programmes and the procedures for assessing learners enrolled on them. There is, therefore, a minimum capacity that must be in place before a provider can access the QQI programme validation process. This capacity may depend on, for example, the award type, the National Framework of Qualifications level and the field of education and training.

The QQI Guidelines and Criteria for QA and the obligations for QQI providers, though founded on former QA Guidelines, will be different to those of the HET Awards Council. It is important to state that, while some of the providers that had a QA agreement with the HET Awards Council will progress to QA approval by QQI, the QA procedures and capacity of some HET legacy voluntary providers may not meet QQI QA criteria. That is to say that some providers who had direct relationships with the HET Awards Council,

and whose learners currently receive awards directly from QQI, may be unable to establish a new QA relationship directly with QQI under Section 30 of the 2012 Act. This is further elaborated on in this document. Existing providers may also choose to consider satisfying the requirements for meeting QQI QA criteria through consortia or networks. QQI is currently considering and analysing how such arrangements might be accommodated.

2 POLICIES AND CRITERIA

2.1 QQI GUIDELINES AND CRITERIA FOR HET LEGACY VOLUNTARY PROVIDERS

In accordance with Section 27 of the 2012 Act, QQI will issue Guidelines and Criteria for QA procedures specific to HET legacy voluntary providers.

The Guidelines and Criteria will be constructed on the basis of existing HET awards council Quality Assurance Guidelines. These will be modified and strengthened to bring them in line with the obligations for providers prescribed by the 2012 Act and, as previously consulted upon, the Guidelines and Criteria for new voluntary providers established by QQI for *Initial Access to Validation of Programmes Leading to QQI Awards*, in particular the elaboration of requirements and criteria for provider capacity. In accordance with Section 27 (b) of the 2012 Act, QQI will adopt the HET Awards Council's *Policy on Institutional Review of Providers of Higher Education and Training (2007)* and *Supplementary Guidelines for the Review of the Effectiveness of Quality Assurance Procedures (2011)* until they are replaced by a QQI policy for the review of the effectiveness of QA procedures. The information contained in the Guidelines and Criteria will also encompass the sequence for HET legacy voluntary providers to exit their current transition status and, if desired, to seek QQI QA approval and programme validation.

Legacy providers' QA procedures were agreed under the *Qualifications (Education and Training) Act 1999* (the 1999 Act). The requirements for these procedures were augmented in the 2012 Act with additional statutory requirements which apply to all provider categories. Therefore QQI QA guidelines and criteria comprise HET awards council Quality Assurance Guidelines, with modifications and improvements to bring them in line with the obligations for providers prescribed by the 2012 Act and, as previously consulted upon, the Guidelines and Criteria for new voluntary providers established by QQI for *Initial Access to Validation of Programmes Leading to QQI Awards*. Modifications and improvements will include, specifically:

- » Protection of enrolled learners requirements of the 2012 Act⁴

⁴ See Protection of Enrolled Learners: Protocols for the Implementation of Part 6 of the 2012 Act for details.

- » Information for learners requirements of the 2012 Act
- » An overarching requirement for providers to demonstrate capacity in their QA to deliver within their intended scope of programme provision.

To assist providers seeking QQI QA approval with the revision of their QA procedures, QQI will highlight and publish the differences between the former Guidelines of the HET Awards Council and the QQI Guidelines and Criteria for HET legacy voluntary providers.

Following the publication of the initial set of QQI Guidelines and Criteria for HET legacy voluntary providers, QQI may, from time to time and in consultation with providers, publish revised Guidelines and Criteria. In the future, in their on-going engagements with QQI, providers will be required to remain cognisant of the relevant changes to Guidelines and Criteria and adapt and evolve their QA procedures to reflect the changes.

2.2 POLICY ON APPROVAL OF QA PROCEDURES FOR HET LEGACY VOLUNTARY PROVIDERS BY QQI

QQI will implement a communications process for the ending of the transition period and the approval of QA procedures with HET legacy voluntary providers. This will include, but not be limited to:

- » Setting out a clear pathway for providers in exiting transition status and seeking QQI approval of QA procedures
- » Providing clarity and transparency on the criteria for the evaluation of QA procedures
- » Giving direct information to providers of the intended changes to come so that they can plan for their own contingencies
- » Exploring the feasibility of new approaches for the approval of QA such as consortia or networks

The transition status for each HET legacy voluntary provider is temporary and will expire by a specified date. This means that the QA agreement and validation of programmes, established through the legacy policies and procedures of the HET Awards Council, will expire on this date and QQI certification processes will no longer be available to providers.

A transition expiry date will be established for each provider's legacy QA agreement. This will be influenced by:

- » The establishment date of the providers legacy QA agreement (older agreements will mean a sooner expiry date)
- » The calculation by QQI of a reasonable timeframe for the provider to seek QQI approval of QA procedures prior to expiry
- » Instances where identified risk factors (e.g. volume of provision) mean that the expiry date should be brought forward to encourage providers to seek QQI QA approval
- » An ultimate expiry date beyond which no re-engagement will be possible for any legacy provider

All HET legacy voluntary providers had a QA agreement with the HET Awards Council. In conducting the evaluation of providers' QA procedures, QQI will take into account the HET legacy voluntary providers' prior QA agreement with the HET Awards Council. The QA agreement with the HET Awards Council was based on the establishment of provider QA procedures. Accordingly, the emphasis of the evaluation will be on the implementation of fit-for-purpose QA procedures and provider capacity, rather than the existence of the procedures per se. In carrying out the evaluation, QQI may use evidence generated through prior engagements with the HET Awards Council, gleaned through programme validation, monitoring and certification. QQI will ensure that full recognition is given to the outcomes of prior statutory review of providers' QA procedures in the evaluation of QA procedures. In particular, positive outcomes of prior review will be considered significant evidence of provider QA procedures meeting QA criteria for approval.

QQI will undertake dialogue with external entities other than providers (e.g. funding agencies, licensing bodies, regulatory bodies) so that they are aware of the objectives of this policy, the changes to come and the QQI approach to QA and criteria for QA approval.

2.3 PROCESS FOR APPROVAL OF QA PROCEDURES

Each HET legacy voluntary provider will be required to make an application for the approval of their QA procedures to QQI if they plan to engage with QQI beyond the transition expiry date. QQI will notify each

HET legacy voluntary provider of their transition expiry date. Providers will also be advised of the final date by which an application for the approval of their QA procedures can be submitted to QQI to allow for continuity and a seamless progression from transition to QA approval.

Applications for approval can only be made following the publication of the Guidelines and Criteria.

Following the publication of the Guidelines and Criteria applications by providers for programme validation will only be accepted by QQI where they are accompanied or preceded by an application for QA approval.

Applications for approval of QA procedures must be accompanied by the relevant fee⁵.

Approval of QA procedures by QQI enables a provider to apply to QQI for programme validation within the scope of access granted. QA approval does not confer any status on a provider. It only confirms that the provider is eligible to apply for QQI programme validation. Following approval, the provider will be allowed to continue with programmes already validated through the HET Awards Council until each individual programme review date.

2.3.1 PROVIDERS WHO HAVE UNDERGONE STATUTORY REVIEW IN ACCORDANCE WITH SECTION 28 OF THE 1999 ACT

For HET legacy voluntary providers that underwent statutory review in accordance with Section 28 of the 1999 Act, including reviews that had commenced under the HET Awards Council and were completed by QQI, QQI will ensure that full recognition is given to the statutory review for QA approval.

Providers will be required to identify any shortfall in their QA procedures in light of the 2012 Act. The QA approval process for HET legacy voluntary providers that underwent statutory review will focus on the demonstration of evidence, if required, that the shortfall has been closed.

⁵ See [Fees for QQI Services](#) and the [Fee Schedule October 2013](#) for details.

2.3.2 PROVIDERS WHO HAVE NOT UNDERGONE STATUTORY REVIEW IN ACCORDANCE WITH SECTION 28 OF THE 1999 ACT

For HET legacy voluntary providers that did not undergo a statutory review, QQI will carry out an evaluation of their QA procedures at an institutional level against the published criteria for the purposes of QA approval. The minimum criteria for QA approval will be set out in the Guidelines and Criteria for HET legacy voluntary providers. Providers must demonstrate that the criteria have been met.

QQI approval of QA procedures may take place during the normal pattern of engagements between providers and QQI in so far as possible. Where necessary QQI may directly request that a provider makes a QA approval application.

Each application will be assessed against the criteria in a fair, open and transparent manner. Independent experts (capable of acting without conflicts of interest) will carry out the evaluation of each application.

2.3.3 APPROVAL DECISIONS

QQI may approve the procedures or refuse to approve the procedures.

A refusal to approve QA procedures by QQI will mean that the provider will need to commence the process of winding down programmes in advance of the transition expiry date. The provider will be required to provide information to learners, cease the commencement of validated programmes and commence the orderly wind-down of programmes already in train.

Where a substantial portion of the criteria have been met, QQI, in refusing to approve the procedures, may make recommendations to the provider. In this instance, the provider will be permitted to make one resubmission for QA approval. The expiry date will be extended for a maximum of 6 months to allow for an additional application.

Following a decision not to approve, the provider may choose to commence the process of making a new application to QQI for the approval of their QA procedures. This application will be made through the *Initial Access to Validation of Programmes Leading to QQI Awards* process, only after a prescribed time interval. The fee associated with the Initial Access to Validation of Programmes Leading to QQI Awards process will apply.

Part 7 of the 2012 Act provides for appeals procedures. Providers may appeal if QQI: refuses to agree QA policies and procedures; refuses to approve policies and procedures for access, transfer and progressions; or if QQI refuses to validate a programme.

3 REVIEW OF POLICY

It is not intended to review this policy as the policy is devised to last only until such time as HET legacy voluntary providers with QA agreements with the HET Awards Council, that were saved under section 84 of the 2012 Act, have engaged or otherwise with QQI.

ANNEXE

List of HET Legacy Voluntary Providers that have undergone Statutory Review under the 1999 Act:

Open Training College

Hibernia College

HSI Limerick Business School

Griffith College Dublin

American College Dublin

Kimmage Development Studies Centre

Dublin Business School

St Nicholas Montessori College

Institute of Physical Therapy and Applied Science (IPTAS)

The Irish College of Humanities and Applied Sciences (ICHAS)

Newpark Music Centre

Carlow College

IBAT College Dublin

SQT Training Ltd.

Setanta College

Clanwilliam Institute

The National College of Ireland

WHITE PAPER FOR CONSULTATION

POLICY AND CRITERIA FOR HIGHER EDUCATION AND TRAINING LEGACY VOLUNTARY PROVIDERS CONTINUING ACCESS TO VALIDATION LEADING TO QQI AWARDS

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