



**QQI**

Quality and Qualifications Ireland  
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

# Policy and Criteria for Provider Access to Initial Validation of Programmes Leading to QQI Awards

QQI, an integrated agency for quality and qualifications in Ireland





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Section	Title	Page
<b>1</b>	<b>Summary</b>	<b>1</b>
<b>2</b>	<b>Introduction</b>	<b>1</b>
2.1	Legal Interpretation	2
<b>3</b>	<b>Policy and Criteria</b>	<b>3</b>
3.1	Scope of the Provider's Provision	4
3.2	Criteria for Access to Initial Programme Validation	5
<b>4</b>	<b>Process for Initial Validation</b>	<b>6</b>
4.1	Key Elements of Stage 1	6
4.2	Stage 2	7
4.3	Decision Review Process	7
4.4	Appeals	7
<b>5</b>	<b>Review of this Policy</b>	<b>7</b>

## 1 SUMMARY

Quality and Qualifications Ireland (QQI) was established in November 2012 by the Qualifications and Quality Assurance (Education and Training) Act 2012 (the 2012 Act).

The 2012 Act sets out the functions of QQI which include making awards to learners and validating the programmes that lead to those awards.

This document sets out the process, policy and criteria for providers of education and training programmes (providers) that do not have a current relationship with QQI to get access to the programme validation process for the first time. This is referred to by QQI as “Initial Validation”.

Detailed procedures and guidelines support this policy document.

QQI policy is developed through a consultative process involving all stakeholders. Details of the policy development process are available on [www.QQI.ie](http://www.QQI.ie). QQI policy is adopted by the Board and implemented by the executive accordingly.

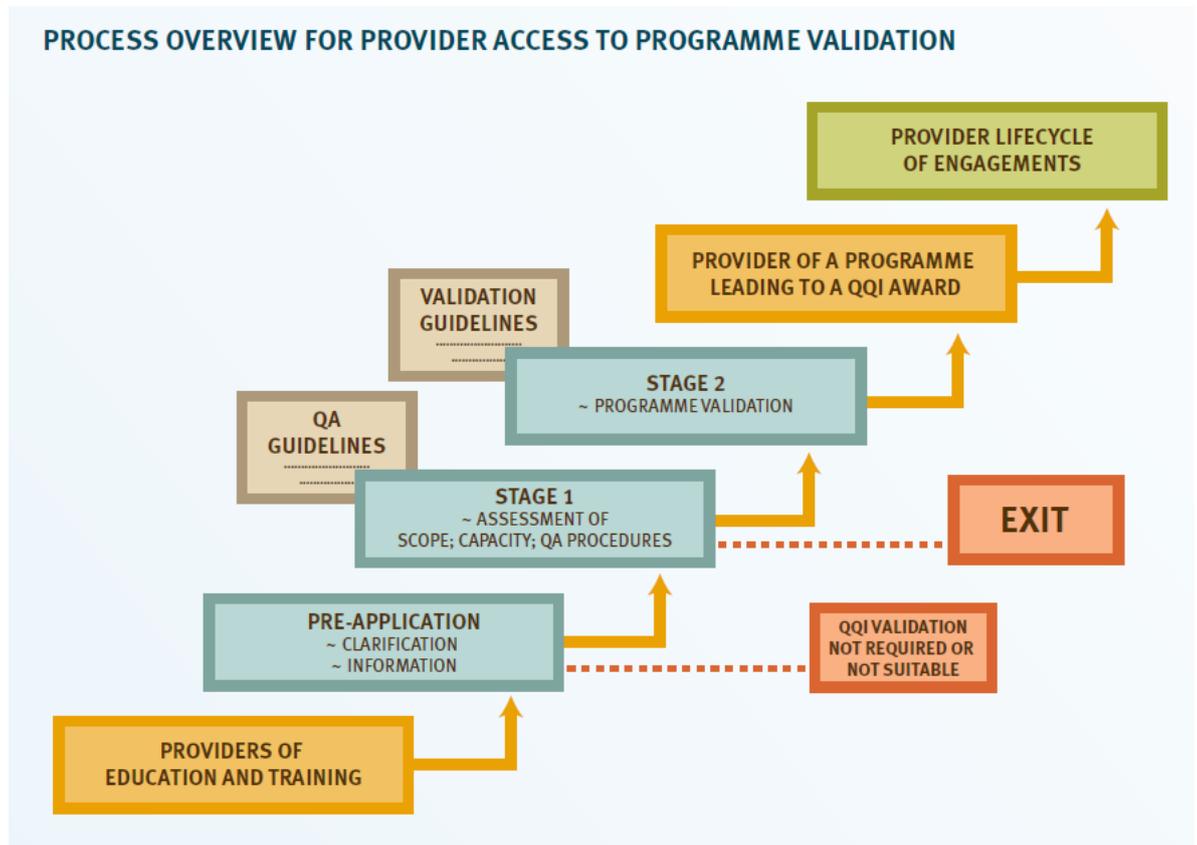
## 2 INTRODUCTION

This policy document sets out policy and criteria for providers who want to seek QQI programme validation for the first time. It only applies to providers who do not currently have any programmes validated by QQI or by the Further Education and Training Awards Council or by the Higher Education and Training Awards Council.

The 2012 Act sets out the conditions that must be met **before** a provider may apply for QQI validation of a programme that leads to an award made by QQI. Programme validation is a two-stage process (see diagram 1): The first stage includes meeting the statutory conditions set out in the 2012 Act; and the second stage is QQI validation of a specific programme(s).



Diagram 1: Process for Access to Initial Validation



A sound qualifications system depends on the education and training system. Those involved in education and training share a responsibility to ensure that:

- The system is robust
- It responds dynamically to changing demands
- It satisfies multiple needs

The health of the education and training system depends upon having a diverse range of providers. This means that there is a need for mechanisms to deal with the establishment of new providers, to allow existing ones to grow or change, and to curtail unsatisfactory ones or to refuse them accreditation.

QQI provides external quality assurance of the providers of programmes that it validates. It is important for applicants to appreciate that while QQI sets standards for awards, it does not, as some other awarding bodies do (including some recognised within the National Framework of Qualifications), 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 quality assurance 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 validation process. This capacity may depend on the award type, the National Framework of Qualifications level and the field of education and training for example.

Education and training must be a principal function of a provider seeking access to QQI validation of a programme. This does not mean that providers may not have other principal functions as well.

Education and training programmes take place in a variety of contexts and for many purposes. Not all of them can be or should be validated by QQI. Neither do all programmes have to lead to awards recognised within the National Framework of Qualifications.

## 2.1 Legal Interpretation

The meaning of validation is described by Section 2(2) of the 2012 Act:

*For the purposes of this Act, a programme of education and training is validated where the Authority confirms under section 45 that the provider of the programme has satisfied the Authority that an enrolled learner of that provider who completes that programme will acquire, and where appropriate, be able to demonstrate, the necessary knowledge, skill or competence to justify an award of the Authority being offered in respect of that programme.*

Before a new programme can be validated, a provider must apply to QQI under Section 44 of the 2012 Act and meet a number of conditions. Under the 2012 Act, QQI is obliged to assess the capacity of each provider to be assured that it can meet the conditions set out in Section 44(5) of the 2012 Act. Among these pre-conditions are the following:

1. **The provider has established procedures for quality assurance under section 28,**
2. **The provider has established procedures for access, transfer and progression under section 56,**
3. **The provider has complied with section 65 regarding the protection of enrolled learners, if applicable.**

It is also a pre-condition that a provider who provides an education or training programme organised or developed by another provider or person must consult with that provider or person before applying for programme validation.

## 3 POLICY AND CRITERIA

QQI evaluates providers to ensure that, within the scope of the programmes for which they are seeking access to validation, they have the capacity to provide programmes that may be validated and to meet their responsibilities under the 2012 Act.



Through the implementation of this policy QQI is assuring learners, stakeholders, funding agencies and national and international audiences that a provider who is successful in having a programme(s) validated by QQI has taken responsibility for and has the capacity to provide learners with a well-supported learning experience which will allow them to achieve the learning outcomes for the type and level of QQI award sought.

### **3.1 Scope of the Provider's Provision**

Access to validation is limited by the scope of the programme(s). The agreement of quality assurance and programme validation are determined by this scope, which includes:

- The NFQ levels and award types to which the programme leads
- The programme's field of learning and/or professional domain
- The maximum and minimum numbers of learners that can be accommodated on the programme each cycle
- The target learner groups
- The teaching and learning modalities
- The location(s) where the programme will be provided to enrolled learners

A substantive change in the approved scope of the provision of a provider who has gained initial access will require a re-assessment of capacity. For example, if a provider seeks to have a programme validated at a different Framework Level or in a different field of education and training.

### **3.2 Criteria for Access to Programme Validation**

An application for access to programme validation within a specified scope will be assessed against the following criteria.

#### **3.2.1 Provider Capacity**

A provider must:

- 3.2.1.A** Be an established legal entity, with education and training as a principal function
- 3.2.1.B** Have sufficient resources as well as corporate, structural and internal quality assurance systems in place to sustainably provide education and training programmes that can be submitted for QQI validation
- 3.2.1.C** Demonstrate their ability to design, develop, provide and review programmes

### **3.2.2 Detailed Criteria**

A provider must comply with the following:

#### **Legal and compliance requirements:**

##### **3.2.2.A** Be an established legal entity

- i. The legal entity must be a clearly identified legal person, having rights and responsibilities under law
- ii. The legal entity must be established in the European Union and have a substantial presence in Ireland
- iii. Dependencies, collaborations, obligations, parent organisations, and subsidiaries must be clearly specified
- iv. Any third-party relationships and partnerships must be compatible with the scope of access sought

##### **3.2.2.B** Comply with applicable regulations and legislation in all jurisdictions where it operates

##### **3.2.2.C** Be 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

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

##### **3.2.2.D** Have a sufficient resource base

- i. Be stable and in good financial standing
- ii. Have a reasonable business case for sustainable provision

##### **3.2.2.E** Have fit-for-purpose governance, management and decision-making structures

- i. Have arrangements for providing required information to QQI

#### **Programme development and provision requirements:**

##### **3.2.2.F** Have education and training capacity demonstrated by:

- i. Experience and track record<sup>1</sup> in providing education and training programmes
- ii. A fit-for-purpose and stable complement of education and training staff

<sup>1</sup> This does not imply a requirement to be a registered provider with another awarding body or a previously established provider of education and training for a period of time. QQI will not discriminate against new organisations or businesses. However, experience of the design, delivery and assessment of education and training is an important factor in delivering quality assured programmes.



- iii. Capacity to comply with the standard conditions for validation specified in Section 45(3) of the 2012 Act
  - iv. Fit-for-purpose premises, facilities and resources
- 3.2.2.G** Have access, transfer and progression arrangements that meet QQI's criteria for approval
- 3.2.2.H** Have structures and resources to underpin fair and consistent assessment of learners
- 3.2.2.I** Have arrangements for the protection of enrolled learners that meet statutory obligations (where applicable)

Providers must demonstrate that they meet these criteria through a self-assessment process and by submitting supporting documentation to QQI.

## 4 **PROCESS FOR INITIAL VALIDATION**

A provider without an existing relationship with QQI who wishes to submit a programme for validation must first apply to QQI for access to validation (Stage 1 as described in Diagram 1).

### 4.1 **Key Elements of Stage 1: Assessment of provider scope, capacity and quality assurance procedures**

The key elements in the process are:

- A pre-application engagement with QQI<sup>2</sup>
- Self-assessment by the applicant against the criteria for access to validation and preparation of an application for submission to QQI
- QQI assessment of the application against the criteria for access to initial programme validation
- Follow-up by the applicant and by QQI

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 conduct the evaluation of each application.

A fee will apply.

Successful completion of Stage 1 enables a provider to apply to QQI for programme validation within the scope of access granted.

Successful completion of Stage 1 of the access to programme validation process does not confer any status on a provider. It only confirms that the provider is eligible to

<sup>2</sup> The pre-application will establish if validation is required or appropriate for the provider and will clarify the requirements of the process.

progress to Stage 2 of the process, i.e. programme validation.

If a provider is unsuccessful at Stage 1 (i.e. fails to agree quality assurance procedures, procedures for access, transfer and progression; and protection for enrolled learners), any subsequent application may be made only after a prescribed time interval and an associated fee will apply.

## 4.2 Stage 2: Programme validation

A provider who has successfully completed Stage 1 may apply for programme validation within the scope of access granted. If the scope of a provider's provision changes in subsequent validation applications, a re-assessment of the provider's capacity (Stage 1) may be required.

The programme validation process has a number of key stages:

1. Applicants successful at Stage 1 submit the programmes that they have designed and developed
2. QQI processes the application according to its Validation Policy and Guidelines<sup>3</sup>
3. QQI and the applicant follow up on the outcomes, as set out in the policy and guidelines

## 4.3 Decision Review Process

Applicants who are refused access to programme validation either at Stage 1 or Stage 2 may make observations to QQI within a specified timeframe of receipt of formal notification. After considering these observations, QQI will either uphold its decision or propose a remedial course of action with a view to reconsidering the matter at a future date.

## 4.4 Appeals

The 2012 Act Part 7 provides for appeals procedures. Appeals may be made if QQI refuses:

- To validate a programme
- To grant access to validation by refusing:
  - » To agree quality assurance policies and procedures
  - » To approve policies and procedures for access, transfer and progression

## 5 REVIEW OF THIS POLICY

The policy, process and criteria on access to initial validation of programmes leading to QQI awards will be reviewed two years after implementation or earlier if necessary.

<sup>3</sup> Programme validation for specific programmes leading to QQI awards will be processed using adapted legacy policies and processes





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