

REPORT ON QQI'S CONSULTATION

On White Papers related to the
Development and Implementation
of the Listed Awarding Bodies
(LABs) Scheme



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1. BACKGROUND

A Listed Awarding Body (LAB) is an awarding body that does not have statutory awarding powers of [National Framework of Qualifications \(NFQ\)](#) awards in the State and voluntarily seeks to have their awards included in the NFQ. The LABs scheme will provide voluntary, regulated access for organisations to have their awards included in the NFQ.

The establishment of LABs is a statutory function of QQI outlined in Section 55 of the 2012 Act (as amended). Section 55 of the 2019 (Amended) Act facilitates the establishment of a new category of awarding body to be known as a 'listed awarding body (LAB)' as a mechanism for regulating the voluntary inclusion of a wider range of qualifications in the NFQ. QQI's functions include approving the establishment of LABs and approving the inclusion of awards within the Framework (Section 55 of the 2012 Act (as amended)). There is an associated requirement to approve the quality assurance (QA) procedures and access, transfer and progression (ATP) procedures of those LABs that are also considered relevant providers under the Act.

In July 2023, Quality and Qualifications Ireland (QQI) published three White Papers on the development and implementation of the LABs scheme for public consultation. The closing date for feedback from the public consultation was Friday 29 September 2023. The following White Papers were issued as part of the consultation.

- *Statutory Quality Assurance Guidelines developed by QQI for Listed Awarding Bodies engaging with QQI on a voluntary basis.*
- *Core Policies and Criteria for the Establishment of Listed Awarding Bodies (LABs),*
- *Core Policies and Criteria for the Inclusion of Awards within the Framework, and*

This report firstly sets out details on the submissions received during the consultation period. This is followed by sections which set out the key themes raised, and feedback outlined by stakeholders in their submissions to the public consultation and any actions arising from the submissions. Lastly, the implications of the consultation are discussed and details on the next steps for the development and implementation of the LABs scheme are provided.

2. SUBMISSIONS RECEIVED

This section outlines details on submissions received and stakeholder engagement undertaken during the consultation period on the above-mentioned white papers.

QQI received 14 written submissions during the consultation period and two verbal submissions. The full list of stakeholders that made a submission is set out in Appendix 1. Table 1 shows the classification of submissions received.

Table 1. Classification of Stakeholders who Made a Submission to the Development and Implementation of the LABs Scheme White Paper Consultation

| Category | Number |
|-----------------------------|-----------|
| Designated awarding body | 2 |
| International Awarding Body | 4 |
| Professional Body | 5 |
| Representative Organisation | 1 |
| Other | 4 |
| Total | 16 |

QQI has met with all prospective LABs in the last two years to discuss the LABs scheme in general and has made several presentations to the Finding Common Ground series for Professional, Statutory and Regulatory Bodies (PSRBs). A specific webinar was delivered to one potential listed awarding body during the consultation period and another specific presentation was delivered to the Irish Inter-Professional Association (a group representing a wide range of professional bodies) in October 2023. QQI is committed to ongoing engagement and discussion with relevant stakeholders in the coming months.

Several submissions included detailed questions about the specifics of the LABs scheme and their applicability to individual organisations, while other submissions advocated for their own status as a potential LAB. This consultation report will not respond to those aspects of submissions as they are better managed in ongoing dialogue with individual organisations. Where there is benefit to multiple stakeholders, a separate document will be issued with clarifying information.

This section has provided, an overview of the submissions received, the engagement with stakeholders, and highlighted that several organisations have queries in relation to the LABs scheme. The next section of the report summarises themes which emerged from the stakeholder submissions to the consultation.

3. GENERAL THEMES

This section presents the main themes which emerged from the analysis of the stakeholder submissions. Overall, the response to the consultation was overwhelmingly positive with all responses welcoming the LABs scheme and commending the robust, rigorous policy documents underpinning the scheme. Most submission recognised the role of the LABs scheme in widening and expanding the NFQ with clear benefits to learners. Specifically, submissions note that that the scheme will enable learners to have greater access to regulated and recognised awards, to avail of recognition of prior learning and to benefit from ATP arrangements. While submissions were supportive of the LABs scheme generally, there was several requests for clarification and consideration. The respondents recognised that although there are benefits to expanding the NFQ to include new awards, the integrity of the Framework needs to be protected.

There was no specific feedback on the *Statutory Quality Assurance Guidelines developed by QQI for Listed Awarding Bodies engaging with QQI* on a voluntary basis and as such, there will be no suggested change to this document.

A small number of respondents expressed concern about the regulatory burden to Listed Awarding Bodies arising from the scheme. QQI recognises that there will be a burden associated with the scheme, but this reflects the responsibility associated with voluntary, regulated access to the NFQ and for making transparent, consistent, and comparable awards to those already being made in the State. QQI has endeavoured to minimise the burden, where possible, by seeking to collaborate with relevant regulators both inside and outside the State in keeping with the *Principles for Professional Engagement with Education Providers, including Programme Validation, Professional Accreditation and Approval*¹ and will ensure that this is clear in the policy documents.

Several submissions outlined the need for further details on aspects of the application process. QQI commit to issuing guidance materials including templates to support the application process in early 2024. There will also be a series of webinars and meetings with LABs to explain the criteria and the process. Information regarding fees, due diligence and protection of enrolled learners will be published and available in advance of the LABs scheme opening for applications.

3.1 INFORMATION PROVISION TO LEARNERS AND OTHER STAKEHOLDERS

A clear theme emerging from submissions regarded information provision to learners, but also other stakeholders. It was emphasised that the difference between designated awarding bodies (DABs) as autonomous awarding bodies and LABs should be clear to learners. It was also pointed out that LABs may be offering a combination of both awards included in the NFQ, and awards that are not. This should be clear to learners.

The Irish Register of Qualifications (IRQ) will be the tool for explaining the different types of awarding bodies to key stakeholders, including learners. LABs will not be permitted to hold themselves out to be a DAB but will be permitted to use their awarding powers independently within the scope of their approval.

The Core Policies and Criteria for the Establishment of Listed Awarding Bodies (LABs) already specify that “A LAB may continue to make non-NFQ awards but cannot infer a connection to the NFQ, or QQI approval of QA procedures for these awards.” (p 15). All providers including LABs and their associated providers are required to comply with Section 67 of the 2012 Act, which relates to information provision for learners. However, QQI acknowledges that this could be strengthened.

Action: QQI has updated the conditions which apply to LABs in 8.2 in the *Core Policies and Criteria for the Establishment of Listed Awarding Bodies (LABs)* to specify the following:

- Listed Awarding Bodies must provide clear and accurate information to learners about all awards it is offering to learners in Ireland, regardless of inclusion within the NFQ or not. Learners must be clear about the status of the qualification in which they are enrolling and the difference between those programmes leading to NFQ awards, and those that do not.

¹ [Towards Principles for Accreditation and other Professional Engagements.pdf \(qqi.ie\)](#)

A small number of responses suggested that the text in section 3.1 of the *Core Policies and Criteria for the Inclusion of Awards within the Framework* should not be specified in this document as it applies to DABs. These Policies and Criteria do not solely apply to LABs as the document relates to the inclusion of all awards in the NFQ. However, all other awarding bodies, QQI included, are subject to a different approach for inclusion and this document simply seeks to describe methods of inclusion applicable to different types of awarding bodies.

Action: No change to section 3.1 of the *Core Policies and Criteria for the Inclusion of Awards within the Framework*.

3.2 APPLICATION PROCESS & SCHEME REQUIREMENTS

Most of the submissions received focused on giving feedback about the application process and specific scheme requirements. It was noted during feedback from verbal presentations, that a process for the inclusion of subsequent awards and not been detailed and that a streamlined process, where possible, would be welcomed.

Action: The process for the inclusion of subsequent awards is outlined Section 9.5 of the *Core Policies and Criteria for the Inclusion of Awards within the Framework*.

- In the first instance of a request to include an award within the Framework, QQI will establish an independent review panel to assess the request to include an award within the Framework. In the case of subsequent applications, QQI reserves the right to conduct such an assessment as an Executive function. For a request to be eligible for Executive assessment, the awards must be within the approved scope of listing, and must have clear, robust evidence for the need for the award. The award must be developed in line with all relevant NFQ policies and have a logical level, award type, credit volume and title, relevant to the specific award standard and learning outcomes. If the Executive is unable to determine that the above has been met, an independent panel will be established to review the request.

All recommendations to include awards within the Framework will be subject to internal governance decision-making.

Endorsement from a Public Authority

The criteria for endorsement from a public authority as part of the minimum requirements was broadly welcomed by stakeholders. The legislation permits QQI to establish a set of minimum requirements that must be met before a LAB can be established, which QQI has done. This is to reduce the burden for prospective LABs to avoid the unnecessary preparation of a significant application. These minimum requirements also signal, at a high level, the intent of the LABs scheme. There was a general sense from verbal feedback received, that the minimum requirements should be as specific as possible.

A small number of responses raised some concerns about the requirement for public endorsement. It was suggested that such a public authority could be undermined if the applicant body was subsequently denied establishment as a LAB. There was also a concern that such an approach could undermine QQI's position as an independent qualification's authority. The minimum requirement currently specifies that the public authority should have an informed position. Respondents suggested that this could be clearer.

The legislation allows for the minimum requirements to include an endorsement from public authority and specifies that this includes the Minister [of Further and Higher Education, Research, Innovation and Science], another government minister, Higher Education Authority, SOLAS, a professional recognition body and a designated awarding body. As such, QQI is unable to amend this definition. However, it is worth noting that the endorsement is an administrative activity and will not be made public. Furthermore, particularly in the case of established awarding bodies, there are relevant public authorities that have an informed position about the operations of the awarding body. QQI wishes to rely on this perspective to the benefit of those awarding bodies already operating in the State, meeting the needs of learners, and supporting wider society. Regardless of this endorsement, QQI will be conducting a robust review of the application for establishment as a LAB and inclusion of awards in the Framework.

Action: Update the specific minimum requirement as follows:

- Endorsement by a relevant public authority with an informed position on the awarding body and its awards. The relevant public authority must have an informed position about the organisation in its capacity as an awarding body. Such relevant public authorities are the Minister for Further and Higher Education, Research, Innovation and Science, another government minister, the Higher Education Authority, SOLAS, a professional recognition body or a DAB. Endorsements from other public authorities may be deemed appropriate on a case-by-case basis².

Action: QQI will develop a template for such public endorsement and will provide sufficient guidance to applicants and endorsers about the nature and implications of such endorsement.

Action: In the interest of adding further specificity to the minimum requirements, the following has also been updated:

- A history of at least 20 years of making awards in Ireland.

QQI has included a means for emergent awarding bodies to meet these minimum requirements. Stakeholders recognised the importance of this approach to support collaboration between the sectors so that skills, qualification, and employment needs can be identified.

3.3 LIMITATION OF SCHEME TO LEARNERS IN THE STATE

A common point of feedback related to the limitation of the scheme to learners enrolled in the State. This was of particular concern to international awarding bodies. Section 4.8 of the *Core Policies and Criteria for the Establishment of Listed Awarding Bodies (LABs)* specifies that LABs are not permitted to engage in transnational education and cannot make NFQ awards to learners outside the State. This applies even in the case of online learning. The concern was that this restriction would be a barrier to some bodies applying for LABs status as many attract learners from outside of the EEA through online learning. The professional bodies highlighted the importance of transnational education and mobility in recognising their students' efforts, regardless of the jurisdiction.

This restriction is in keeping with the provisions of the Act. Section 60 sets out the requirements

² Guidance will be provided by QQI to individual LABs regarding the suitability of proposed public authorities.

for a Code of Practice for provision of programmes to international learners and under Section 60 (1) (b), LABs are specifically omitted from a code of practice for learners outside the State enrolled on programmes leading to awards that are awards included in the Framework. Although QQI has not yet developed a code of practice for international learners outside the State, LABs will not be eligible to apply for an International Education Mark (IEM) associated with such a Code. As such, the LABs scheme is limited to learners enrolled in the State.

Action: Provide more information in Section 4.8 about the legislative restriction

- Under Section 60(1)(b) of the Act LABs are excluded from the code of practice for learners outside the State enrolled on programmes leading to award that are awards included within the Framework. As such, LABs are restricted to making NFQ awards within the State. The awarding body can, of course, make awards outside Ireland in line with awarding powers in other jurisdictions, but must not provide a certificate indicating achievement of an Irish NFQ award. As such, a LAB may not use NFQ logos or NFQ levels on certificates issued to learners outside Ireland.

It is worth noting that a LAB can continue to offer their own award outside the State (ie) the award they currently offer that is not included in the NFQ. Establishment as a LAB does not preclude a LAB from offering the programme as an 'off-Framework' outside the State. Where a LAB is seeking to offer the award in another jurisdiction of the EU, it might be possible to utilise the incoming process associated with the European Qualifications Framework (EQF) for the levelling of international qualifications. Where a LAB is seeking to offer the award in a jurisdiction of the UK, QQI will commence dialogue about the possibility of establishing a process between the relevant regulators to include the award on the relevant national framework that would reduce the burden to the LAB.

To offer some flexibility to this requirement, the policy and requirement specify that in the case of blended learning requiring any amount of on-site attendance, it is possible for the LAB to make the NFQ awards to all learners. The reference to online learning will be updated to reference QQI's new *Quality Assurance Guidelines for Digital Education*³.

A final concern relates to the monitoring by QQI of this requirement. QQI acknowledges that this will be challenging to monitor but will expect a LAB to outline in its certification procedures, processes, and systems how it ensures that only learners entitled to the award are issued the award. This will be monitored and reviewed by QQI through existing monitoring and review activities.

3.4 AWARD CRITERIA

Some of the submissions received related to awards including micro-credentials and professional awards.

3.4.1 Micro-credentials

Submissions received detailed concerns regarding the terminology and definitions used in relation to micro-credentials in both the *Core Policies and Criteria for the Inclusion of Awards within the Framework* and the *Core Policies and Criteria for the Establishment of Listed*

3 [statutory-quality-assurance-guidelines-for-providers-of-blended-and-fully-online-programmes-2023_1.pdf](#)

Awarding Bodies (LABs). The submissions raised: the potential need for a description on the inclusion of micro-credentials in the NFQ, that the definition of micro-credentials should be reviewed, and concern regarding the classification of non-major awards as micro-credentials.

It is essential that LABs are permitted to include micro-credentials in the Framework and the policy and criteria need to give sufficient information to enable such inclusion. The policies are only concerned with the inclusion of qualifications in the NFQ so any reference to micro-credentials, is specific to those micro-credentials that are included in the NFQ. LABs will be required to ensure that every qualification included in the Framework has an award type and the only award types available to develop micro-credentials are non-major awards. QQI considers that the non-major award types are suitable for the development of micro-credentials.

Action: Refine the reference to micro-credentials in both policy documents.

Section 2.1: The terms awards and qualifications are used interchangeably by QQI in the Irish context. Any award included within the Framework is considered a qualification. It is possible to include micro-credentials as qualifications in the NFQ. Though it is worth noting that a micro-credential does not have to be included in the NFQ.

Glossary: Micro-credentials refers to a qualification (award) arising from a 'small' package of learning, where 'small' refers to the credit associated with the award. Minor, special purpose and supplemental award types can be used to develop micro-credentials in the Irish National Framework of Qualifications (NFQ).

3.4.2 Sectoral Awarding Conventions

Some submissions raised concerns about the permission for LABs to use the term 'professional' in award stems. Section 6.1 of the *Core Policies and Criteria for the Inclusion of Awards within the Framework*, states that 'LABs that utilise the professional award type descriptor in the development of the award and/or are considered a professional body may insert the stem 'professional' in advance of certificate and diploma at levels 5-9.' It was also noted that the table in the appendices of the document was inconsistent with the agreed convention.

Action: QQI to update the table.

QQI agrees that it would be preferable to have a sectoral convention on the use of the term professional in this manner, but this has not yet been achieved and may need to be provided for in a more formal convention. However, the use of the professional award type descriptor will be commonplace in the LABs scheme, and LABs are keen to use the term professional to reflect their role in the delivery of professional education. QQI has prioritised providing clarity to LABs on how they might use the term professional in their award stems and seeks to achieve consistency within this grouping, at the very least.

3.5 SUMMARY

While several other areas were touched on in stakeholder submissions, the aim of the consultation report is to provide a high-level overview of key themes which emerged across submissions. This section of the report has provided insights into the main themes regarding the LABs scheme which arose across the stakeholder submissions: information provision to learners and other stakeholders; application process and scheme requirements; limitation of scheme to learners in the state; and award criteria.

4. CONCLUSIONS

The feedback was overwhelmingly positive with broad support for the establishment of Listed Awarding Bodies and the inclusion of their awards in the Framework. There is a general recognition that the expanding of the NFQ is a positive development which will benefit learners and wider society. It was recognised that the white papers were robust, rigorous, and appropriate generally.

There was some minor, specific feedback about, for example, information provision, micro-credentials, and the minimum requirements. None of the feedback requires major amendments to the scheme but minor language and terminology updates have been made to offer greater clarity. Although some respondents were dissatisfied with the limitation on transnational education, QQI is satisfied that this limitation is in keeping with the legislative provision and in keeping with the intent of the scheme. QQI commits to ongoing engagement with prospective LABs, wider stakeholders, and other regulators to resolve some of these issues in the medium to long term.

5. APPENDIX 1: STAKEHOLDERS THAT MADE SUBMISSIONS TO THE DEVELOPMENT AND IMPLEMENTATION OF THE LISTED AWARDING BODIES (LABS) SCHEME WHITE PAPER CONSULTATION

Table 2. Stakeholders that Made Formal and Informal Submissions to the Development and Implementation of the LABs Scheme White Paper Consultation

| Stakeholder |
|-----------------------------------|
| Chartered Accountants Ireland |
| CIDESCO International |
| City & Guilds |
| CPA Ireland |
| Dublin City University |
| FDQ |
| ICDL Ireland |
| Irish Tax Institute |
| Irish Universities Association |
| King's Inns |
| National University of Ireland |
| PCI College |
| St Patricks Pontifical University |
| The Insurance Institute |
| The Open University |
| VTCT |



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