

Circular No. 2 2014

Circular concerning ‘Recognition within the Framework’ for the purposes of Section 48 of the Qualifications and Quality Assurance (Education and Training) Act 2012 to all higher education and training providers listed in Section 44(9) of this Act.

Introduction

Institutes of Technology make awards under delegated authority covering a wide variety of fields of learning and these are recognised within the NFQ. However, there are circumstances in which the awards of other awarding bodies may better meet the needs of learners, providers or employers and need to be available for offer by Institutes of Technology.

Legal Basis

Section 48 of the *Qualifications and Quality Assurance (Education and Training) Act 2012* sets out the requirements for Institutes of Technology (among others) to enter into an arrangement with an awarding body other than QQI:

- 48.—(1) A provider referred to in section 44(9) may enter into an arrangement with an awarding body other than the Authority to provide, organise or procure a programme of education and training where—*
- (a) completion of the programme by an enrolled learner and the attainment by the learner of a specified standard of knowledge, skill or competence upon such completion entitles the learner to an award of the body, and*
 - (b) the award of the body is recognised within the Framework.*
- (2) A provider shall notify the Authority of an arrangement referred to in subsection (1) prior to entering into the arrangement.*

Section 44(8) is significantly different from Section 5 b(i) of the Regional Technical Colleges Act 1992 as amended by Section 32 (c) of the Qualifications (Education and Training) Act 1999:

32. (c)

.....

- (bb) (i) to enter into arrangements with the Further Education and Training Awards Council or with any other authority approved by the National Qualifications Authority of Ireland, from time to time, for the purpose of having further education and training awards made, and*
- (ii) to make such other arrangements as may be approved by the Further Education and Training Awards Council and the National Qualifications Authority of Ireland, from time to time, for that purpose;”.*

Context

In April and June 2003 the NQAI, under the provision set out above, approved arrangements entered into by Institutes of Technology with awarding bodies other than the Higher Education and Training Awards Council and the Further Education and Training Awards Council, subject to certain conditions.¹ (This approval granted under the 1999 legislation does not however meet the requirements of Section 48 of the Qualifications and Quality Assurance 2012 Act, which requires that the awards concerned be recognised within the Framework. There are various ways for awards to be recognised within the Framework. Awards made by QQI, by awarding bodies with delegated

¹ http://www.nqai.ie/award_it.html

authority from QQI the DIT are recognised within the Framework. Otherwise, four groups of awarding bodies can be identified in addition:

- 1) (Group A Awarding Bodies) Each body authorised by law to make awards in the State is required to ensure, in so far as is reasonably practicable, that each award that it makes is recognised within the Framework this applies to the universities and the State Examinations Commission *inter alia*.
- 2) (Group B, C and D Awarding Bodies) Awards that are contingently recognised within the Framework include professional awards aligned by HETAC and UK awards aligned by NQAI.

QQI recently published a white paper on alignment of professional awards. This deals with awarding bodies in Groups A and B. It is anticipated that the white paper will progress to policy shortly.

QQI is also developing more general policy on the Recognition within the Framework for awards of bodies in Groups C and D. These include (but are not limited to) international industry (vendor) awards and UK awards that were previously aligned by NQAI (or by QQI in continuance of NQAI's approach following amalgamation). This policy will enable Section 44(9) providers to enter into an arrangement with an awarding body other than QQI to provide, organise or procure a programme of education and training under Section 48 of the 2012 Act.

The Need for an Interim Arrangement

As QQI's policy development in this area continues and in order to facilitate continuing provision of programmes leading to awards of awarding bodies in Groups C and D, QQI is introducing the following interim arrangements for recognition within the Framework. The interim arrangements are considered warranted because on balance QQI is of the opinion that the Section 44(9) providers, which include the Institutes of Technology, should be facilitated in providing programmes leading to industry awards and awards of other awarding bodies where they are properly quality assured and serve a useful purpose for learners and society.

The interim arrangements apply to recognition within the Framework of the awards of Group C and D awarding bodies with retrospective effect from **6/11/2012**, the date of commencement of the 2012 Act, **until 31/7/2015 or a date to be published for the implementation of new QQI policy for recognition within the Framework for the purposes of Section 48 of the Act of 2012, whichever is later.**

This interim arrangement will minimise disruption while Section 44(9) providers regularise arrangements under Section 44(8). Allowing until the end of the 2014/15 academic year gives providers some security in planning while QQI develops and implements new policy. There is provision for automatic extension if there are any delays in establishing the required new policy.

The Interim Arrangement

Pending full recognition under the more general and yet to be developed QQI policy, QQI proposes, for the purposes of Section 48-1(b) of the Qualifications and Quality Assurance (Education and Training) Act 2012, that '*recognised within the framework*' would mean that the award is currently included in, or 'aligned' with, the NFQ or where not included or aligned that:

1. The award is an international award;
2. Recognition of the award within the Framework is formally requested from QQI by a Section 44(9) institution;

3. In ETB providers, the award is considered to be a further education and training award (no higher than NFQ Level 6);
4. The award has widespread recognition by employers nationally and internationally;
5. There is a high level of demand for the award;
6. The award is issued following successful completion of a programme provided by a Section 44(9) institution and is validly and reliably assessed against standards based on learning outcomes (e.g. it cannot easily be fraudulently obtained);
7. The programmes leading to the award are provided wholly by Section 44(9) providers and are subject to their quality assurance procedures; and
8. The programmes leading to the award have been offered by the Section 44(9) provider in 2013.

The conditions applying to recognition within the Framework under this interim arrangement shall include the following requirements for providers:

- A. not to publicly assign NFQ levels to awards, unless previously aligned by the NQAI or by HETAC (this does not preclude embedding such awards in programmes leading to QQI awards or awards made by IOTs)
- B. to notify QQI of the awards to which policy is applied, including the number of programmes leading to such awards, planned enrolment and the number of awards made by June 30th 2014, with updates every six months
- C. to apply agreed QA procedures to these programmes as far as possible
- D. to notify the awarding bodies concerned of the provider's statutory obligations covered by these arrangements, which only relate to Section 48 and may not be used by the awarding body or other providers to claim general recognition in the NFQ under pain of non-compliance with section 67
- E. to provide statistical returns to QQI for its Programmes and Awards Database.

Recognition within the Framework thus obtained may be withdrawn at any time by QQI, is without prejudice to the NFQ Level (if any) that may in the future be associated with the award by QQI, and may be subject to additional conditions.

It is important to note that any Framework Level associations made by HEIs in respect of awards recognised under this interim arrangement will be without prejudice to future alignment decisions made under QQI policy. Specifically, for example, an award that may be presented in lieu of a minor award at Framework Level N may not be presented as an award that is recognised within the Framework at Level N. Instead, it may be presented as an award that is recognised within the Framework for the purpose of Section 48 of the Act of 2012.

Application Process

Recognition within the Framework under this arrangement is only available on a provider by provider basis. In other words, recognition of the award is connected with a particular quality assured programme of education and training that leads to the award and is not automatically attached to the award independently of how it has been achieved.

Institutes of technology are asked to write to QQI before **30 September 2014** regarding the awards they wish to have recognised through this interim recognition arrangement. Requirements 1-9 set out under 'The Interim Arrangement' heading above must be satisfied for an award to be recognised under this arrangement and the communication to QQI must declare that this is the case. If feasible it would be preferable for a single coordinated response collating the information for all of the Institutes of Technology.

For each Institute of Technology, and for an award to be recognised in respect of that Institute of Technology's programmes, the following information must be provided.

- Name of the Institute of Technology
- Award title
- Awarding body
- Assessment body
- Duration of the programme in weeks
- Estimated ECTS credit value
- The number of these Awards made in the 2013 calendar year in this Institute
- The estimated NFQ Level

An Excel template will be provided to facilitate the presentation of this information.