QQI COMPREHENSIVE POLICY DEVELOPMENT PROGRAMME

PROGRESS REPORT

NOVEMBER 2013

QQI
Quality and Qualifications Ireland
Dearbhú Cáilíochta agus Cáilíochtaí Éireann
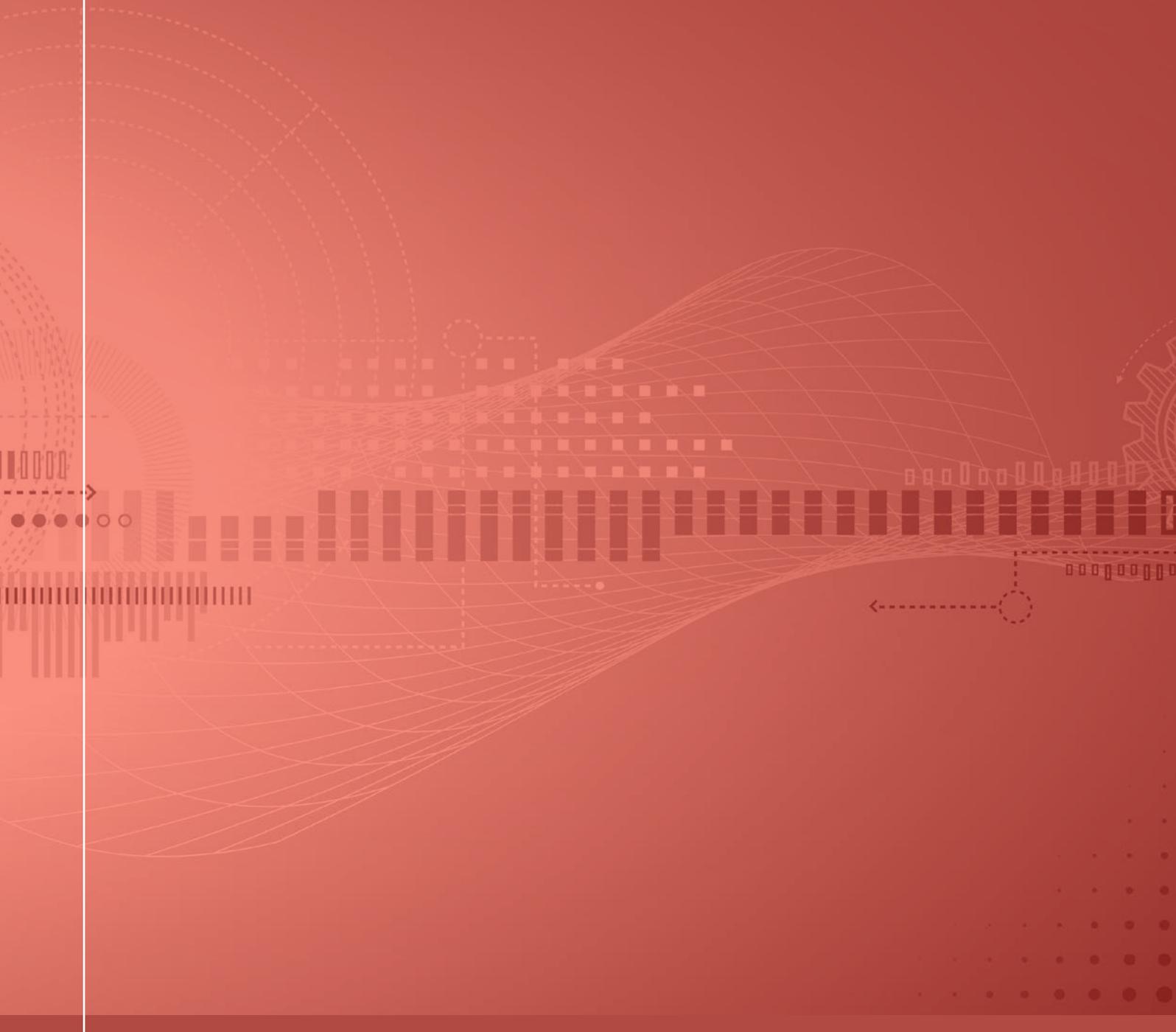
CONTENTS

1 INTRODUCTION

This report is an update for QQI's Board, stakeholders and the general public on QQI's Comprehensive Policy Development Programme. On 19 August 2013 QQI published a Progress Report[1] to accompany the three QQI White Papers which were approved by the Board at that time. This report contains a background to the Comprehensive Policy Development Programme and more information on the development of policy. Since its publication the Comprehensive Policy Development Programme has continued apace in the context of significant changes both in the Irish education and training landscape and within QQI itself.

As well as providing a general update on the context of policy development, this report outlines the planning for policy development in 2014, it outlines the process for the implementation of QQI policy and provides a consultation report focussing on the September 2013 Policy Documents.

On 30 September 2013 QQI published its first three new policies. These were launched to support the first new QQI process since the amalgamation in November 2012: Provider Access to Initial Validation of a Programme Leading to a QQI Award. These policies are:

» **QP.01**   Policy and Criteria for Provider Access to Initial Validation of a Programme Leading to a QQI Award

» **QP.02**   Protection of Enrolled Leaners: Protocols for the Implementation of Part 6 of the 2012 Act

» **QP.03**   Fees for QQI Services[2]

These final policies were developed following an extensive public consultation and development process. The QQI executive has been working on implementing these policies and operationalising the new process for provider access to initial validation during September and October.

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1   The progress report is available on http://www.qqi.ie/About/Pages/default.aspx
2   All three policies are available at: http://www.qqi.ie/About/Pages/default.aspx

2 THE POLICY DEVELOPMENT LANDCAPE

As the Comprehensive Policy Development Programme continues into 2014, the context it operates in is continuously evolving. There are two major components to the changes in the landscape: The internal developments within QQI as the new organisation matures and plans for its future; and the Irish and European education and training landscapes of which QQI is a part.

Both areas have a significant influence on the way in which policy is developed and implemented by QQI.

2.1 THE INTERNAL QQI LANDSCAPE

2.1.1 STRATEGY

The QQI Board approved the draft of the first QQI Strategy Statement[3] for the period 2013-2016 in September 2013. It will be formally adopted by the Board at its meeting on 18 November 2013. It provides direction and guidance for staff and stakeholders on the mission, vision, values and goals of the organisation and how it intends to achieve them.

Policy development will be guided by the content of the Strategy Statement. The first of the strategic goals relates directly to policy development. It is a commitment "*To establish a comprehensive, coherent set of QQI policies and procedures with the National Framework of Qualifications as a central organising feature*". This goal envisages the implementation of the Comprehensive Policy Development Programme, configuring QQI's relations with providers on the basis of a lifecycle of engagement.

2.1.2 CORPORATE PLANNING

Following the development of the draft Strategy Statement, QQI is developing its corporate plan for 2014. The corporate plan will detail the organisational objectives and the related

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3   The draft Strategy Statement is available at: http://www.qqi.ie/Downloads/Strategy/Strategy_Statement_ Draftv1.3.pdf

actions, outlining the main areas of work QQI is focussed on over the coming year and moves the organisation towards achieving its strategic goals.

The Comprehensive Policy Development Programme forms an integral part of these plans and has been integrated into the work of the various business sections within QQI.

2.1.3   COMMITTEE STRUCTURE

The Qualifications and Quality Assurance (Education and Training) Act, 2012 provides for the establishment of committees to assist and advise the QQI Board in relation to the performance of any or all of its functions. A governance structure is being developed, devised by the executive, to be agreed by the Board. This structure consists of a *Consultative Forum* and five sub-board committees, namely; the *Programmes and Awards Executive Committee;* the *Programmes and Awards Oversight Committee;* the *Policies Development and Standards Determination* Committee (working title); the *Approval and Reviews of Providers* (Joint Committee, working title) and the *Recourse and Reviews* Committee (working title).

Specifically, with regard to policy development, the *Policies Development and Standards Determination Committee (working title)* will support the evolution and development of QQI policy as the organisation becomes more established. The Committee will consider and advise the QQI executive regarding particular policy issues which the executive refers to the Committee. It will also consider Green Papers, White Papers and draft QQI Policy Documents presented to it by the QQI executive and make recommendations to the Board regarding the suitability of the policies for adoption. It is anticipated that this Committee will meet for the first time in the first quarter of 2014.

2.2   THE EXTERNAL POLICY LANDSCAPE

2.2.1   NATIONAL FURTHER EDUCATION AND TRAINING STRATEGY

The Minister for Education and Skills has appointed a board for SOLAS, the further education and training authority[4]. The chairperson designate of the new board, Mr Pat Delaney, appeared

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4   Further information on SOLAS is available at: www.SOLAS.ie

before the Oireachtas Joint Committee on Education and Social Protection on 9 October 2013[5]. SOLAS was established on 27 October 2013.

FÁS began work on the National Strategy for Further Education and Training which will be launched by SOLAS. QQI sits on the Strategy Advisory Group and the Technical Support Group supporting this process.

QQI's submission was among seventy five made to the Public Consultation on the Review of Apprenticeship in Ireland[6]. The work of the review group, appointed in May by the Minister for Education and Skills, under the chairmanship of Mr. Kevin Duffy, is ongoing.

The ETBs were established on July 1st. QQI is working on building a consultative and collaborative relationship with the ETBs and its representative body Education and Training Boards Ireland (ETBI). QQI attended the annual meeting of ETBI and has also had a high level meeting with the CEOs of the ETBs. QQI is joining with FÁS/SOLAS and ETBI in a tripartite group to examine the quality assurance issues arising from the amalgamation of VECs into ETBs and the transfer of FÁS owned or procured training provision to the ETBs.

2.2.2   NATIONAL HIGHER EDUCATION STRATEGY

QQI and the Higher Education Authority are engaged in bilateral discussions to formulate a memorandum of understanding which will clarify their respective roles and responsibilities under the national strategy.

The HEA is consulting with QQI on the national framework for doctoral education.

The Department of Education has asked the Higher Education Authority to seek proposals from HEIs as to what indicators they propose to use locally for performance compacts to be agreed during strategic dialogues with the HEA that will reflect the national indicators in the performance framework for HE agreed by the government.

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5   A transcript of the discussions is available at: http://oireachtasdebates.oireachtas.ie/Debates%20Authoring/ DebatesWebPack.nsf/committeetakes/EDJ2013100900003?opendocument
6   Information on the consultation process is available at: http://education.ie/en/Press-Events/Events/Review-of-Apprenticeship-in-Ireland/Public-Consultation-on-the-Review-of-Apprenticeship-in-Ireland.html

2.2.3   INTERNATIONAL EDUCATION

The Department for Education and Skills commenced a review of Ireland's International Education Strategy[7] in August. QQI made a submission based on the issues raised in the consultation paper. Ireland's International Education Strategy is particularly relevant to policy development in the context of development of the International Education Mark.

The European Commission in July published a communication on European higher education in the world[8].

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7   Information on the review is available at: http://www.education.ie/en/Press-Events/Press-Releases/2013-Press-Releases/PR2013-08-29.html
8   Available at: http://ec.europa.eu/education/higher-education/doc/com499_en.pdf

3 QQI'S COMPREHENSIVE POLICY DEVELOPMENT PROGRAMME IN 2014

The early stages of the Comprehensive Policy Development Programme are documented in the August 2013 Progress Report.

The remainder of the policy development programme has been subject to a prioritisation and planning exercise to effectively deploy resources to develop policy in high priority areas as soon as practicable.

3.1 POLICY PRIORITISATION

The full suite of policy areas within the Comprehensive Policy Development Programme was reviewed by the executive. Policy areas were grouped and prioritised according to a set of criteria:

» **Strategic and Corporate importance**
Policy areas were assessed according to their importance to the fulfilment of QQI's draft Strategic Statement and emergent corporate plans.

» **External and political imperatives**
Policies areas were assessed according to their importance to external stakeholders and the public policy landscape.

» **Importance to the fulfilment of QQI's statutory functions**
Policy areas that were seen as crucial to the full implementation of QQI's statutory functions under the 2012 Act were considered.

» **Interdependence with other policy areas**
Some policies, while not high priority in and of themselves are seen as "enabling policies" without which high priority areas could not progress through the programme.

» **The practicality of implementation of the policy**
Policies were assessed according to their "implementability" – the ease and likelihood of their being implemented fully once policy was developed.

The final prioritisation was examined by the executive to confirm that the prioritisation made sense in the context of on-going activity at a section and organisational level.

3.2 SCHEDULE

Following the prioritisation exercise an indicative schedule of development was drawn up for the remainder of 2013 and the first half of 2014. The following are the planned deliverables from the Comprehensive Policy Development Programme for each of the next three Board Meetings[9].

14 FEB 2014

Green Papers:

» Green Paper on Qualifax
  A Green Paper, further to *Section 4.12 Green Paper on Data* which will explore the policy options around the future deployment of the Qualifax service.

» Green Paper on Recognition Advice
  A Green Paper which will explore the policy options for the Qualifications Recognition Advice service.

White Papers:

» White Paper on Re-engagement with Legacy Providers
  A White Paper which will expand on and propose policy for the policy areas outlined in *Section 4.14 Green Paper on the Re-engagement of Legacy Providers with QQI and Future Access to QQI Awards*, and aspects of *Section 1 Green Paper on the Comprehensive Implementation of the Functions of Quality and Qualifications Ireland*.

» White Paper on Monitoring and Risk
  A White Paper which will propose QQI's new Monitoring policy and the nature of the risk-based approach. It will develop *Section 4.8 Green Paper on Monitoring and Dialogue* and *Section 4.11 Green Paper on Provider Risk and Proportionality*. While Monitoring Policy is, in and of itself, a high priority policy area and a distinct process, the policy is also seen as enabling the policy on re-engagement to a certain extent.

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9   NB: In the absence of the fully developed and approved committee structure Green and White Papers have been scheduled for consideration by the Board. Once the Policies Development and Standards Determination Committee (Working Title) is established, it will approve Green and White Papers for publication and make recommendations to the Board regarding draft policy

Policy Documents:

» **Policy and Criteria for the Delegation of Authority to Make HET Awards (including Joint Awards)**
A policy document which will "cap" the current saved DA policy and enable providers with DA to enter joint awarding arrangements in line with the 2012 Act.

» **Policy and Criteria for Aligning Professional Awards with the NFQ at Levels 7, 8 and 9**
A policy document which will outline the criteria, conditions and process for professional recognition bodies to have their awards aligned with the National Framework of Qualifications at levels 7, 8 and 9.

11 APRIL 2014

Green Papers:

» None foreseen at this time.

White Papers:

» **White Paper on the International Education Mark**
A White Paper which will develop and propose policy in relation to the areas raised in Section 4.4 Green Paper on the International Education Mark.

» **Draft Code of Practice for Provision to International Learners (working title)**
Possibly a separate development outlining the (additional) criteria that providers must comply with in order to be authorised to use the IEM.

Policy Documents:

» None foreseen at this time.

13 JUNE 2014

Green Papers:

» None foreseen at this time.

White Papers:

» **White Paper on Qualifax (working title)**
This will develop the issues explored in the Green Paper brought to the February Board Meeting.

» White Paper on Recognition advice (working title)
This will develop the issues explored in the Green Paper brought to the February Board Meeting.

Policy Documents:

» Policy and Process for Re-engagement with Legacy Providers (working title)
A document which outlines the way in which QQI will engage with providers that currently have saved legacy arrangements that were established with the former awards councils and ACELS.

» Policy on Monitoring and Risk (working title)
A policy document which outlines QQI's monitoring policy, processes and the organisation's approach to risk.

QUARTERS 3 AND 4 OF 2014

It is hoped that in the remainder of 2014, work will continue on the development of the IEM and will have begun on the development of the Policy on QA guidelines, review and the comprehensive alignment policy. Other areas may progress also.

4 PROCESS UPDATE

Part of the purpose of this report is to update the Board, stakeholders and the public on the production and implementation of the September 2013 Policy Documents.

4.1 PRODUCTION OF POLICY DOCUMENTS & POLICY IMPLEMENTATION

The Progress Report which accompanied the August 2013 White Papers outlined the process used to produce Green and White Papers and eventually QQI Policy documents. Following approval of the White Papers by the Board, they were published for consultation. The outcomes of these consultations were processed to produce final QQI policy documents[10] which were adopted as QQI policy and published on 30 Sept 2013. The same process for the production of policy documents (amended by the commencement of the Committee Structure) will be used for the remainder of the Comprehensive Policy Development Programme.

The process for the implementation of policy is being managed by the Policy Coordination Group and will be subject to on-going development by the executive and the Policy Coordination Group.

The policy implementation process gives consideration to (amongst other things):

» Change Management
  What the added benefit of the implementation of policy will be and how it will impact upon QQI's culture and organisation.

» Process considerations
  Whether implementation requires a new process or the alteration of an existing QQI process.

» Governance
  How the policy will be managed, who is responsible for decision making and oversight.

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10 The outcomes of these consultations, the influence they had on the policy areas and the rationale for any changes made is included in Section 5 of this document.

» Supporting Documentation

What supporting documentation is required to implement the policy (saved policy adaptation, new supporting policy, internal governance, application forms, public information etc.)

» Resource Requirements

Identification of:

~ IT and web resource requirements

~ Communication requirements

~ HR Requirements

~ Staff Requirements

~ External resources

~ Finance requirements

» Schedules

A detailed schedule of implementation is to be included in the Implementation plan, which details the deliverables of implementation and their deadlines.

4.2 REVIEW OF POLICY

Following adoption and implementation of the policy it is scheduled for periodic review by the executive and Board two years after adoption and if necessary in the meantime. The process and implementation of the policy area are continuously monitored during the early stages of its existence.

The detailed process for the review of policy is under consideration and development by the Policy Coordination Group.

5 CONSULTATION & POLICY DEVELOPMENT (SEPTEMBER 2013 POLICY DOCUMENTS)

Consultation on the May 2013 Green Papers closed on the 14 September 2013 with 126 responses received.

The feedback on each paper is being analysed by each policy leader in order to inform further Green or White Papers in the relevant policy area. As these policy areas are developed their successor papers are published, the specific consultation issues and outcomes will be reported on in detail, as they are for the September 2013 Policy Documents below.

For each of the White Papers submissions were sought by email on the contents of the proposed policy. The closing date for submissions was Tuesday 22 August 2013. The submissions were collected and analysed by the lead authors for each policy. The documents were also sent for plain English testing; legal advice was sought and further internal consultation was carried out.

The outcomes of all of these elements were collated and used to inform the final policy documents. On each policy document there was a range of technical and consistency based changes made to correct errors, improve wording and to remove potentially confusing elements.

5.1 QP.01
POLICY AND CRITERIA FOR PROVIDER ACCESS TO INITIAL VALIDATION OF PROGRAMMES LEADING TO QQI AWARDS

This Policy Document contains policy and associated criteria for the process by which providers seek access to the QQI programme validation process for the first time.

The Green Paper for this policy area *(Section 2: Provider Access to Programme Accreditation)* outlined the history, context, legal backdrop and issues and options for policy development. It examined the concept of assessing a candidate provider's structural and educational capacity to deliver programmes at the level and field for which they are applying for validation. Options for the process for access to validation were proposed and it explored options for re-opening ACELS for English Language Teaching Organisations (ELTOs).

The White Paper for this policy area proposed policy based around a set of criteria which examined the capacity of a provider to develop, deliver and sustain a programme within the scope of the provision for which they were to seek validation.

5.1.1   KEY THEMES ARISING FROM CONSULTATION

Capacity and Scope

There was further general endorsement of the policy of capacity testing and the criteria around capacity and the scope of provision. There were a number of concerns raised about how compliance with the criteria could be demonstrated.

Refusal to Agree QA

There were technical submissions made regarding the connection between scope of provision and the legal grounds for refusal by QQI to agree QA with a provider.

Status of Providers

The fact that the legislation does not provide for a provider registration process akin to that used by the legacy bodies caused concern for some stakeholders.

Applicability of the Criteria to Legacy Providers

Many legacy providers who made submissions queried the future applicability of the criteria and process, specifically around the assessment of capacity, to their own situations.

5.1.2   RATIONALE FOR POLICY DECISIONS

Implications for legacy providers

As the re-engagement policy and associated process has yet to be determined[11], the exact implications for the establishment of an assessment of capacity are not yet known. It should however be taken by legacy providers as a strong indication of the likely criteria for continued engagement with QQI.

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11   A White Paper on the issue is due for the February 2014 Board Meeting.

Refusal to Agree QA

It was reconfirmed in the policy that failure to complete Stage 1 of the Access to Initial Validation Process must be linked to a failure to agree QA, ATP or PEL arrangements, as per the provisions of the 2012 Act.

Status of Providers

The 2012 Act does not make any provision for a direct link between QQI and providers (i.e. provider registration). A provider is only considered a QQI 'relevant provider' under the 2012 Act once they have a programme validated or have authorisation to use the International Education Mark; therefore, providers do not have a legal status as a QQI provider at any stage and are only a provider of a programme leading to a QQI award once they have successfully completed their initial validation. QQI does not confer any registration status on any provider independent of the validation of at least one programme.

5.2 QP.02
PROTECTION OF ENROLLED LEARNERS: PROTOCOLS FOR THE IMPLEMENTATION OF PART SIX OF THE 2012 ACT

This policy document sets out protocols for providers which will facilitate their compliance with the legal requirements for the protection of enrolled learners as set out in the 2012 Act. It outlines how the protocols apply to different types of provider and details the protocols. The protocols also interpret specific terms used in the 2012 Act.

5.2.1 KEY THEMES ARISING FROM CONSULTATION

Use of the Term 'Regulations'

Specific feedback on the White Paper from the Department of Education indicated that the term "regulations" is reserved for regulations specified by the Minister to implement statutory instruments.

Implementation Difficulty[12]

A significant amount of the feedback received was highlighting the difficulties for providers in complying with the legal requirements. This included submissions regarding the fairness of financial bonding arrangements and the exemption of publicly funded providers.

Definitions

Several submissions pertained directly to the definitions of "similar programme", "monies most recently paid" and "three-months duration" outlined by QQI in the protocols.

Legal advice

Due to the nature of the policy document, establishing protocols for the implementation of the law, a significant amount of legal advice was sought on the technicalities of the document. This advice had a considerable influence on the protocols.

5.2.2   RATIONALE FOR POLICY DECISIONS

Title

On the advice of the Department of Education and Skills, the title of the document was changed to remove the term "regulations". The document was recast as "protocols" to clarify that the document does not constitute regulations set by the Minister.

Implementation Difficulties

QQI understands the concerns of providers in relation to the implementation of the protocols. It is envisaged that a range of solutions and proposals will be made by individual providers seeking to demonstrate compliance with the law. With a view to establishing a fair and unbiased approach to approving these arrangements, QQI has established an internal PEL Advisory Group which will deliberate and set precedents on PEL decisions until such time as a normal working practice has been established.

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12   It must be emphasised that QQI's role is to ensure providers' compliance with the legal requirements specified in the 2012 Act and not to establish the legislative position.

5.3 **QP.03**
FEES FOR QQI SERVICES

This Policy Document describes the principles which will be used by QQI to determine the Schedule of Fees for the services it provides.

5.3.1 KEY THEMES ARISING FROM CONSULTATION

Schedule

The fact that the Schedule of Fees was not made available for consultation was an issue of concern for many stakeholders.

Principles

The principles outlined in the document received general endorsement by stakeholders. However, there were submissions made that suggested that some of the principles were in conflict.

5.3.2 RATIONALE FOR POLICY DECISIONS

Schedule

The Schedule of Fees is determined by QQI and consented to by the Minister for Education and Skills, with the Minister for Public Expenditure and Reform, and therefore does not form part of the public consultation on policy development.

Review of the Principles

Following the publication of the Policy, a review of the consistency of the principles will be undertaken internally to address concerns about the policy document's quality.

QQI values the contribution of its stakeholders and their input into the Comprehensive Policy Development Programme.

QQI is inviting submissions and observations on the December 2013 White Papers.

Submissions can be emailed to
consultation@QQI.ie

The closing date for submissions is **Friday 24 January 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.*