

Main elements of the Qualifications and Quality Assurance (Education and Training) Bill 2011

1. The following paragraphs summarise the main elements of the Qualifications and Quality Assurance (Education and Training) Bill 2011 which published on 27 July 2011. The Bill is available at:
http://www.education.ie/servlet/blobServlet/pr_qualifications_quality_assurance_bill_2011.pdf

Overview

2. The Bill provides for the amalgamation of the National Qualifications Authority of Ireland, the Higher Education and Training Awards Council, and the Further Education and Training Awards Council. The new organisation will also take responsibility for the external quality assurance review of the universities, a function which is currently performed by the Irish Universities Quality Board. The new body will have the official title of the Qualifications and Quality Assurance Authority of Ireland (QQAAI) but may have a different operational title.
3. The Bill provides for the transfer of the legislative functions of the existing four bodies to the new organisation; a legal basis for functions that the NQAI acquired in recent years (namely, for the regulation of the provision of English as a foreign language programmes and for Qualifax) and new functions in relation to an Code of Practice for the provision of programmes to international learners and an International Education Mark.

Key functions of QQAAI

4. The key functions of QQAAI will be to:
 - Promote, maintain and further develop the National Framework of Qualifications
 - Review the effectiveness of provider's quality assurance procedures
 - Establish standards to be acquired by learners before awards are made and to validate programmes

- Make awards, delegate authority to make awards and promote the awards of the Authority
- Determine policies for access, transfer and progression, approve procedures for access, transfer and progression with providers and review their implementation
- Establish a code of practice for the provision of programmes of education and training to international learners
- Specify and authorise the use of an international education mark
- Establish, maintain and develop a database of information including on awards recognised in the Framework and of programmes of education and training leading to those awards
- Establish and maintain a register of providers who are authorised to use the international education mark and who have arrangements for the protection of learners in place
- Facilitate the international recognition of awards made in the State and the recognition in the State of international awards
- Ensure arrangements for the protection of learners are in place and assist learners in finding alternative programmes of education and training where programme provision ceases before those programmes are completed.

5. The QQAAI will also formulate national policy on quality assurance and enhancement in education and training and co-operate with relevant international bodies on qualifications and quality assurance.

Proposals for new legislative elements in relation to qualifications and quality assurance

6. The Bill proposes a number of different categories of providers for the purposes of the Bill. QQAI will have different responsibilities in respect of specific groups of education and training providers and awarding bodies, some of whom have had no direct relationship with the existing qualifications and quality assurance bodies. The Bill introduces the concept of a 'linked provider'. This defined as a provider which enters into an arrangement with a designated awarding body under which the provider provides a programme of education and training that leads to an award of that body. Linked providers are not listed in the Bill: they would, for example, include the teacher training colleges and the

National College for Art and Design. A 'designated awarding body' is defined as a previously established university, the Dublin Institute of Technology, the Royal College of Surgeons in Ireland and any educational institution established under section 9 of the Universities Act 1997. These bodies will have the responsibility to approve and to review the quality assurance procedures of linked providers.

7. The possibility of delegating authority to make awards may be extended from the current list of providers as set out in the 1999 Act (an Institute of Technology, FÁS, the National Tourism and Development Authority and Teagasc) to providers who fulfil certain conditions. The Minister will make regulations which set out the conditions which providers other than those specifically named must meet.
8. QQAAI, with the approval of the Minister, will have the authority to set fees (and an annual charge in respect of the use by providers of the international quality mark) in relation to the performance of its functions. This will include fees for different kinds of reviews, programme validation, requests for delegated authority and access to the international quality mark.
9. In overall terms, the Bill places considerable emphasis on information provision by QQAAI, e.g. about providers, programmes and awards.

Key governance arrangements

10. The Bill provides that QQAAI shall consist of 8 members, including its Chief Executive Officer; at least one person who has international experience related to its functions, and at least one person who is a representative of learners.
11. The Minister shall establish an Appeals Panel, of at least 10 people, from which Appeals Boards shall be appointed to hear specific cases. The Bill provides for appeals to be heard in specific instances, for example, in relation to the outcomes of approval and reviews of quality assurance procedures and of procedures for access, transfer and progression, delegated authority, programme validation and access to the international education mark.