

Agreement for alignment and quality assurance of the awards of Ofqual recognised Awarding Organisations, awarded to learners in the Republic of Ireland, with the National Framework of Qualifications (NFQ)

1. Introduction

1.1 In July 2006, the National Qualifications Authority of Ireland (NQAI)¹ adopted policies and criteria for the inclusion in, or alignment with, the National Framework of Qualifications (NFQ) of the awards of certain awarding bodies. These bodies include certain organisations from outside the State which make awards in Ireland. Under the policies and criteria, such awarding bodies must have a status in law or be otherwise recognised as having authority to make awards that have national recognition in their home jurisdiction. In addition, the awards of the awarding bodies are required to be included in the national frameworks in their home jurisdictions or, where such a qualifications framework is not in place, in an equivalent national tool for relating qualifications to each other; there must be a requirement for quality assurance in the home jurisdiction which is external to the awarding body itself; and, the awards of such awarding bodies to be aligned with the Irish NFQ must be made following the successful completion of programmes by learners in the Republic of Ireland.

1.2 Particular matters arose in the process of implementing the NQAI's policies and criteria for alignment in relation to the external quality assurance of vocational education and training (VET) Awarding Organisations operating in the Republic of Ireland. As a result the Qualifications and Curriculum Authority (QCA), which subsequently became the Office of Qualifications and Examinations Regulation (Ofqual)², put in place quality assurance

¹ The NQAI is responsible for developing and maintaining the National Framework of Qualifications in the Republic of Ireland and related policies on access, transfer and progression.

² Ofqual is the independent regulator of qualifications, examinations and assessments in England, and of vocational qualifications in Northern Ireland. Ofqual co-operates with the regulators in Wales (DCELLS) and Northern Ireland (CCEA for qualifications other than VQs) for the purposes of regulating awarding organisations which operate in the three countries.

arrangements on a voluntary basis for UK VET awarding bodies, providing awards in the Republic of Ireland. These arrangements are detailed in the document *Pilot regulatory arrangements for qualifications accredited in England, Wales and Northern Ireland when offered in the Republic of Ireland*. The pilot alignment arrangements were put in place for UK VET Awarding Organisations with effect for 18 months from May 2008. As a result, the necessary layer of external quality assurance to Awarding Organisations' operations in the Republic of Ireland was provided by Ofqual. The pilot was reviewed on its completion and was considered to be successful by the NQAI, Ofqual and the 14 Awarding Organisations that had chosen over the pilot period to seek to have their qualifications aligned with the NFQ.

- 1.3 The NQAI and Ofqual have subsequently undertaken detailed discussions regarding the 'pilot project'. Both organisations are of the view that there is merit in putting in place a revised process to facilitate the continued alignment of the awards of Ofqual recognised Awarding Organisations with the Irish NFQ, and that this should take account of the experience and learning gained by both organisations during the pilot project. Therefore, the following document sets out a revised agreement between Ofqual and the NQAI, with Awarding Organisations that wish to engage/continue engaging with the alignment process.
- 1.4 It should be noted that while a limited number of aspects of the following agreement apply only to Awarding Organisations wishing to align their qualifications with the NFQ for the first time, the majority of the elements of this agreement apply to all of the Ofqual recognised Awarding Organisations that have aligned qualifications to the NFQ under the pilot project. Supplementary information regarding the implementation of this revised agreement will be made available to Awarding Organisations to further draw out these limited distinctions.
- 1.5 It should further be noted that for quality assurance purposes (see section 6), awards made in the Republic of Ireland by recognised Awarding

Organisations are considered by Ofqual to be connected activities of those carried out in the home jurisdiction.

2. Key Objectives of Agreement

2.1 The following revised agreement for the alignment with the Irish NFQ of the awards of Awarding Organisations recognised by Ofqual, aims to reflect the following key objectives:

2.1.1 to put in place a process that is consistent with the importance placed by Ofqual and the NQAI on the transferability of qualifications across jurisdictions and of associated learner achievements, and to support mutual objectives around improved access, transfer and progression arrangements

2.1.2 to be mindful of the benefits arising for all parties engaging with the qualifications system, not least learners and employers, in ensuring that standards of awards are maintained regardless of jurisdiction

2.1.3 to operate from the premise that quality assurance will be applied by recognised Awarding Organisations to awards aligned with the NFQ, in a manner that is consistent with that administered in the home country

2.1.4 to be consistent with the quality conventions that are in place for the recognition of qualifications in the qualifications frameworks of the Republic of Ireland and England, Wales and Northern Ireland i.e., the layers of quality oversight that are expected to operate between a provider, an Awarding Organisation and an external party

2.1.5 to ensure that accurate information is clearly available to providers and learners on the relationship of awards with the NFQ so that they can make informed decisions regarding provision and attainment of qualifications

- 2.1.6 to ensure that information is clearly available to learners, providers and employers about awards which have been aligned with the NFQ, but are no longer being made by Awarding Organisations
- 2.1.7 to cater for both routine quality assurance oversight and methods of addressing complaints and other issues arising
- 2.1.8 to emphasise the importance of ongoing communication and information exchange between Ofqual and the NQAI
- 2.1.9 to undertake joint communication from Ofqual and the NQAI to recognised Awarding Organisations regarding these revised arrangements for alignment with the NFQ and their ongoing operation
- 2.1.10 to secure confirmation from recognised Awarding Organisations that they are in a position to deliver on the expectations of them, articulated in these revised arrangements, prior to the revised arrangements being available to them
- 2.1.11 to allow for Ofqual and the NQAI to recover the costs arising from the implementation of this revised agreement
- 2.1.12 to incorporate provision for the review by Ofqual and the NQAI of the effectiveness of this project plan and to make amendments if agreed necessary by the two parties.

3. Time period of agreement

- 3.1 This agreement shall commence on 28 March 2011 and remain valid for a period of three years. At that time, it is expected that Ofqual and the NQAI will undertake a formal review of these revised arrangements to establish their continued effectiveness.

4. Process for alignment of qualifications with the Irish NFQ

4.1 The following process will apply to any Ofqual recognised Awarding Organisation wishing to align its awards provided in the Republic of Ireland, with the NFQ. The NQAI may administer applications on a scheduled basis, in which case details of expected timeframes will be communicated to Awarding Organisations:

4.1.1 The Awarding Organisation will complete the appropriate application form and submit this to the NQAI. The NQAI will inform Ofqual when it receives an application from a recognised Awarding Organisation for alignment of its awards with the NFQ.

4.1.2 The application form will request *inter alia*:

4.1.2.1 Details of awards which the Awarding Organisation is seeking to align with the NFQ and the operational start and end date for each award.

4.1.2.2 Confirmation of whether or not these awards were previously aligned with the NFQ as part of the pilot project (see 5.3)³

4.1.2.3 Details of providers in the Republic of Ireland which are offering programmes leading to awards of the Awarding Organisation, and the numbers of learners who have registered and completed programmes leading to these awards in the previous five years

4.1.2.4 Confirmation from the Awarding Organisation that the quality assurance processes administered in the home country have been applied to the centres in the Republic of Ireland it is recognising, and details of key dates associated with these processes for each provider

³ For the purposes of clarity for learners, providers and employers regarding the status of qualifications, it will also be necessary to establish if a predecessor version of a given qualification was aligned to the NFQ and the associated details.

- 4.1.2.5 Information from the Awarding Organisation setting out how, in the event of a provider ceasing to operate, it will cater for any remaining learners associated with programmes leading to its awards
- 4.1.2.6 The identification of the primary contact point from the Awarding Organisation that will be responsible for completing the application with the NQAI, and will subsequently act as an on-going contact point for any matters arising.
- 4.1.3 Only awards made by the Awarding Organisation that are recognised by Ofqual and are included in Ofqual's Register of Regulated Qualifications will be aligned with the Irish NFQ. However, information regarding any other awards offered by the Awarding Organisation in the Republic of Ireland, and not included in Ofqual's Register of Regulated Qualifications, will be required as part of the Awarding Organisation's application, and certain conditions regarding the manner in which the status of these awards is communicated, apply as part of this alignment agreement (see section 11 below).
- 4.1.4 The application submitted by the Awarding Organisation will be administratively checked by the NQAI, to ensure that it corresponds with information available on Ofqual's Register of Regulated Qualifications. The application will be returned for review by the Awarding Organisation if this information is found to be inaccurate or incomplete.
- 4.1.5 When the application form is complete, and fully accurate, the NQAI will invite the identified contact point from the Awarding Organisation to meet with the NQAI executive to discuss its application.
- 4.1.6 When the NQAI is satisfied with the details of the application for alignment with the Irish NFQ, it will compile a report detailing the comparison of the qualifications presented for alignment with the levels of the Irish NFQ. This comparison will have regard to the

referencing of the UK qualifications frameworks to the European Qualifications Framework (EQF), and the document *Qualifications can cross boundaries – a rough guide to comparing qualifications in the UK and Ireland* (March 2009). A copy of this report will be published to the website of the NQAI and provided to Ofqual.

5. Agreement of revised alignment process with Awarding Organisations that have already aligned awards to the NFQ

5.1 As indicated in section 1.4 above, this revised agreement for the alignment of the awards of recognised Awarding Organisations, applies to all Awarding Organisations seeking to engage with the Irish NFQ i.e., those seeking alignment of their awards for the first time and those Awarding Organisations who secured the alignment of their qualifications under the pilot project agreement.

5.2 While Awarding Organisations that are seeking alignment for the first time will agree these revised arrangements at the time of application for alignment, Awarding Organisations that have already secured the alignment of their awards will be formally required to sign up to the revised alignment arrangements and to apply this agreement to any of their awards which are currently, or will in the future be, aligned to the NFQ. A meeting with the executive of the NQAI will provide the forum for the Awarding Organisation to formally agree to these revised arrangements and to confirm the Awarding Organisation's ability to meet the expectations set out in this agreement.

5.3 Awards that were aligned under the pilot project, and have not since changed in status (e.g., name, content and structure are the same) will remain aligned to the NFQ. It is important to note however that awards aligned to the NFQ which have since been moved to the Qualifications and Credit Framework (QCF) will be treated as new qualifications, and new applications will be required for their alignment.

6. Ongoing quality assurance of awards aligned with the Irish NFQ

- 6.1 This agreement places the primary responsibility for the quality assurance of awards which are aligned with the Irish NFQ, with the associated Awarding Organisation.
- 6.2 As referenced in section 1.5 above, Ofqual regards the activities of Awarding Organisations operating in the Republic of Ireland as connected activities of those carried out in the home jurisdiction. As such self-evaluation reports submitted to Ofqual by Awarding Organisations that have qualifications aligned to the NFQ will now incorporate a section in which these organisations will be asked to report on these activities in the Republic of Ireland.
- 6.3 Ofqual may discuss any matters arising regarding these activities with the Awarding Organisation and will share the information provided to it through the self-evaluation report with the NQAI, and any other information which it believes relevant to the Awarding Organisation's activities in Ireland.
- 6.4 The NQAI executive will also engage in a dialogue meeting with representatives from each Awarding Organisation, normally on an annual basis, which will be informed by the section of its self-evaluation report submitted to Ofqual which addresses its Irish activities. The NQAI will request additional data to inform these meetings, and will expect Awarding Organisations to provide this information to fulfil the NQAI's requirements, and national data collection and reporting obligations. These meetings will also address any matters that have arisen in the course of the previous period of activities. The outcomes of these meetings will be documented and made available to Ofqual.

7. Complaints

7.1 This agreement provides for addressing issues arising / complaints regarding the awards of an Awarding Organisation in the following manner:

7.1.1 If complaints regarding the quality of an award are received by an Awarding Organisation or by Ofqual and that award is aligned with the Irish NFQ, quality improvement measures arising will, as a matter of course, be extended to provision of the award in Republic of Ireland

7.1.2 If a complaint is received by the NQAI relating to an award of an Awarding Organisation which is aligned with the NFQ, it will, if considered warranted, be referred to the Awarding Organisation to be addressed. The Awarding Organisation will be expected to inform the NQAI of when the matter in question has been resolved and the manner of its resolution. The NQAI will inform Ofqual of any such incidents.

8. Circumstances leading to a request for investigation by Ofqual

8.1 In a case where complaints are not adequately addressed by an Awarding Organisation, or where other matters of seriousness arise, this agreement makes provision for the NQAI, if it considers warranted, to invite Ofqual to carry out an investigation of the activities of a given Awarding Organisation, or of a specific incident, in the Republic of Ireland.

8.2 In such a case, the Awarding Organisation in question may be liable for the costs incurred by Ofqual (and any associated costs incurred by the NQAI) in carrying out this investigation (see section 12.2).

9. Discretion to cease aligning awards of Awarding Organisation with the NFQ

9.1 The NQAI retains discretion to cease the alignment of the awards of Awarding Organisations with the NFQ, if it considers that matters arise of such seriousness as to warrant such action. This action will normally be taken following the outcome of an investigation by Ofqual.

10. Use of logos, information provision and communication of alignment of awards with the NFQ

10.1 Awarding organisations that have aligned their awards with the NFQ are not entitled to use the logo of the NQAI, or that of any future amalgamated body, on their certification, nor are they, or their recognised centres, permitted to use this logo in any marketing materials associated with the award.

10.2 Awards which are aligned to the NFQ can make use of the NQAI's 'framework diagram' to illustrate the levels of the Irish NFQ and can refer to these awards as being aligned at a given level with the NFQ. Further marketing guidelines will be made available to Awarding Organisations by the NQAI.

10.3 It is the responsibility of Awarding Organisations and providers to ensure that learners are provided with clear and unambiguous information regarding the status of awards that are aligned with the NFQ.

10.4 Awarding organisations are expected to address and resolve any issues arising regarding misrepresentation of programmes/awards by providers. In the event that an Awarding Organisation has itself presented inaccurate information this will be addressed by the NQAI in the first instance, and then referred to Ofqual if the matter remains unresolved.

11. Information to be provided regarding awards made in Ireland which are not aligned with the Irish NFQ

11.1 As indicated in section 4.1.3 above, Awarding Organisations seeking to align certain qualifications to the NFQ must, at the time of application for alignment, provide the NQAI with full information regarding any other qualifications it is providing in the Republic of Ireland for which it is not seeking alignment.

11.2 An Awarding Organisation offering qualifications in the Republic of Ireland which are not aligned with the NFQ, and are not included in any of the UK qualifications frameworks is responsible for ensuring the following:

11.2.1 That no qualification level is associated with the award, either in its title or in the information regarding the award provided by the Awarding Organisation or the provider

11.2.2 That the status of the award (i.e., that it is not aligned with the NFQ and cannot be described as such) is clearly explained to providers in the Republic of Ireland who are offering the award and that the provider makes this information clearly available to learners

11.3 Awarding organisations are expected to address and resolve any issues arising regarding misrepresentation of programmes/awards by providers. In the event that an Awarding Organisation has itself presented inaccurate information this will be addressed by the NQAI in the first instance, and then referred to Ofqual if the matter remains unresolved.

12. Costs

12.1 Ofqual and the NQAI will administer this revised agreement for alignment with the Irish NFQ on a cost recovery basis. An administrative fee will apply to all applications for alignment of qualifications with the NFQ. Information

regarding the associated fees will be made available to Awarding Organisations at the outset of the implementation of this agreement.

- 12.2 In addition, if the Awarding Organisation is subject to an investigation by Ofqual, at the request of the NQAI, it may be responsible for reimbursing Ofqual and the NQAI for any additional costs incurred in carrying out this investigation.

13. Joint communication of revised agreement by Ofqual and the NQAI

- 13.1 This revised agreement for the alignment of awards offered in the Republic of Ireland by Ofqual recognised Awarding Organisations will be jointly communicated by Ofqual and the NQAI to all Ofqual recognised Awarding Organisations.

- 13.2 Ofqual and the NQAI will also agree a joint statement to be published on both websites which sets out for providers, learners and the general public, the nature of the revised agreement and the awards that it encompasses.

- 13.3 Should Ofqual and the NQAI consider it necessary, it will issue further joint communications to address particular issues arising during the course of this agreement.

14. Revisions to this agreement

- 14.1 It is important to note that whilst the intended duration of this agreement is three years from 28 March 2011, Ofqual and the NQAI may amend this alignment agreement at any time if they jointly consider that such an amendment is necessary and is in keeping with the principles underpinning the alignment process. Awarding organisations will be informed of any amendments arising.