

National Qualifications
Authority of Ireland



Údarás Náisiúnta
Cáilíochtaí na hÉireann

**Guide to the functions and records of
National Qualifications Authority of Ireland**

**Freedom of Information Acts 1997 and 2003 Sections 15 & 16
Reference Book**

March 2010

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Introduction

The Freedom of Information (FOI) Acts, effective from 21st April 1998, establish three new statutory rights:

- a legal right for each person to access information held by public bodies;
- a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading; and
- A legal right to obtain reasons for decisions affecting oneself.

The Acts assert the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

Part 1 - Access to Information

Routinely Available Information

General information relating to the National Qualifications Authority is routinely available to the public.

Information Available	Contact details
Policies and Guidelines relating to the National Framework of Qualifications, Access, Transfer and progression for learners	Tel. 8871500 Fax 8871595 Email: info@nqai.ie
Publications including the Corporate Plan and Annual Accounts.	Office Websites www.nqai.ie www.nfq.ie
Information relating to Recognition of international awards.	www.qualreq.ie www.europass.ie
Information relating to Europass	www.qualifax.ie www.acels.ie
QualifaX Learner's Database	
ACELS	

1. Applications under the FOI Act

Under the FOI Act, anyone is entitled to apply for access to information not otherwise publicly available. Each person has a right to:

- Access to records held by us not covered by one of the exemptions in the Act.
- Correction of personal information relating to you held by us where it is inaccurate, incomplete or misleading.
- Access to reasons for decisions made by us directly affecting you.

The following records come within the scope of the Act:

- All records relating to personal information held by us irrespective of when created.
- All other records created from commencement date of the Act i.e. 21st April 1998.
- Any other records necessary to the understanding of a current record.
- Personnel records of serving staff created from 21st April 1995 and those created prior to that date where they are being used or proposed to be used in a way which adversely affects or may affect the person involved.

The Authority will normally be obliged to respond to a request within 4 weeks. A week is defined in the Act to mean 5 consecutive weekdays, excluding Saturdays and public holidays (Sundays are also excluded, as they are not week days).

Applications under the FOI Act should be addressed to:

**Eamonn Collins,
Corporate business Manager,
National Qualifications Authority of Ireland,
5th Floor, Jervis House,
Jervis Street,
Dublin 1.**

**Telephone: 01-8871500
Fax: 01-8871595
E-mail: info@nqai.ie
Website: www.nqai.ie**

2. Your Application

- (i) **Your application should be in writing** and, if applicable, accompanied by the appropriate fee (see "fees" below). The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to the National Qualifications Authority of Ireland.
- (ii) If you require a reply in a particular format i.e. photocopy, computer disk, etc. please mention this in your application.
- (iii) Please be as detailed and as specific as possible when completing your application as this will assist us in dealing with it. It can also result in lesser charges being incurred on search and retrieval in cases where these fall to be paid. Where possible please try to indicate the time period for which you wish to access records e.g. records created between May 2003 and December 2003. If you have any difficulty in preparing your application our staff will be happy to assist you in this regard.
- (iv) You may be required to prove your identity, especially when seeking personal information, so you may, therefore, be asked to produce your Birth Certificate, Driving Licence, Passport or other form of identity.
- (v) Please include a daytime telephone number, if possible, so that you may be contacted quickly if it is necessary to clarify details of your request.

We are happy to provide assistance to members of the public who seek advice on making a request.

3. Assistance to persons with a disability

We are available to provide assistance to persons with a disability to exercise their rights under the FOI Act (e.g. accepting oral requests from requesters, who are unable to read, print and/or write due to their disability, enabling the requester to inspect or have records explained to him or her).

4. FOI Decision Making in the National Qualifications Authority of Ireland

The Authority will acknowledge receipt of FOI applications not later than 2 weeks following their receipt and forward them to the FOI Decision Maker for decision. The Decision Maker proceeds to deal with the request, liaise with the requester as appropriate and make a decision on the matter.

5. Rights of Review and Appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where a Public Body invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of appeal. Details of the appeals mechanisms are as follows:

You may seek internal review of the initial decision which will be carried out by an official at a higher level if:

- (a) You are dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc., or
- (b) You have not received a reply within 4 weeks of your initial application. This is deemed to be a refusal of your request and allows you to proceed to internal review.

Requests for internal review should be submitted in writing and, if applicable, accompanied by the appropriate fee, (see under Fees) to:

Claire Byrne
Director of Corporate Affairs & Communications
The National Qualifications Authority of Ireland
5th Floor
Jervis House,
Jervis Street,
Dublin 1.

Telephone: 01-8871500
Fax: 01-8871595
E-mail: info@nqai.ie
Website: www.nqai.ie

The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to the National Qualifications Authority of Ireland.

Such a request for internal review must be submitted within 4 weeks of the initial decision. We must complete the review within 3 weeks. Internal reviews must normally be completed before an appeal may be made to the Office of the Information Commissioner.

6. Review by the Information Commissioner

Following completion of internal review, you may seek independent review of the decision from the Information Commissioner. Also if you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Information Commissioner.

Appeals in writing, and, if applicable, accompanied by the appropriate fee, (see under Fees below) may be made directly to the Information Commissioner at the following address:

**Office of the Information Commissioner
18 Lower Leeson Street,
Dublin 2**

**Telephone: 01-6395689
Fax: 01-6395676
E-mail: info@oic.ie
Website: <http://www.oic.ie>**

7. Fees

Application fees

A standard application fee of **€15** must accompany an FOI request made under section 7 of the Act for a record or records **containing non-personal information**.

A reduced fee of **€10** applies if the person making such a request is covered by a medical card.

The following requests/applications are exempt from application fees:

- (a) A request for a record or records containing only personal information related to the requester.
- (b) An application to amend a record
- (c) An application for information regarding acts of public bodies affecting the person

Internal review fees

Fees may be charged in respect of requests under the Freedom of Information Acts, in accordance with the provisions of Section 47 of the Acts.

A standard processing fee must accompany all applications, with the exception of those requesting only personal information. If you are claiming a reduced application fee, your request must be accompanied by the medical card registration number, the relevant Health Board name and your consent to the verification of these details with that health Board.

Other charges may be applied for the time spent finding records and for any photocopying costs incurred by the office in providing you with the material requested.

Fees are currently set as follows:

- €15 standard processing fee
- €10 standard processing fee (medical card holder)
- €75 internal review fee
- €25 internal review fee (medical card holder)
- €150 appeal to the Information Commissioner
- €50 appeal to the Information Commissioner (medical card holder)
- €20.95 per hour – search and retrieval
- €0.04 per sheet for a photocopy
- €0.51 for a 3½ inch computer diskette

- €10.16 for a CD-ROM
- €6.35 for a Radiograph (X-Ray)

Part 2 – Role and Structure of the National Qualifications Authority

Our Mission Statement

The Authority will lead a cultural change, in partnership with stakeholders, with the aim of achieving

- *wide recognition of outcomes of learning, and*
- *improved access for learners to quality learning opportunities*

Our Policy on Confidentiality

We undertake to treat as confidential any information provided to it in confidence by individuals or others, subject to our obligations under law, including the Freedom of Information Act. If, for any reason, you wish that information provided to us should not be disclosed because of its sensitive nature, then you must, when supplying the information, make clear this wish and specify the reasons for the information's sensitivity. We will consult with you before making a decision on any Freedom of Information request received involving sensitive information which you may have supplied.

Information on our Structure and Organisation

8. Role

The National Qualifications Authority was established on 26 February 2001 under the Qualifications (Education and Training Act), 1999.

The Objects of the Authority are:

- a) To establish and maintain a National Framework of Qualifications
- b) To promote and facilitate access, transfer and progression.

The Functions of the Authority are:

- a) To establish the policies and criteria on which the framework of qualifications shall be based,
- b) To review the operation of the framework of qualifications,
- c) To establish in consultation with the Further Education and Training Awards Council and the Higher Education and Training Awards Council, procedures for the performance by them of their functions and shall review those procedures from time to time,

- d) To determine the procedures to be implemented by providers of programmes of education and training for access, transfer and progression and to publish those procedures in such form and manner as the Authority thinks fit,
- e) To ensure, in consultation with the Dublin Institute of Technology and universities established under the section 9 of the Universities Act 1997, that access, transfer and progression procedures are being implemented by them,
- f) To facilitate and advise universities in implementing access transfer and progression procedures and from time to time and in any case not less than every five years review the implementation of those procedures by universities, and publish the outcomes of such a review in such form as it thinks fit.
- g) To consult with and advise the Minister or any other Minister, as the case may be, on such matters in respect of its functions as the Minister or any other Minister may request or as the Authority sees fit,
- h) To liaise with bodies outside the State which make education and training awards for the purposes of facilitating the recognition in the State of education and training awards made by those bodies, and
- i) To facilitate recognition outside the State of education and training awards made in the State.

9. Organisational Structure of the National Qualifications Authority

Membership of the Qualifications Authority of Ireland

Membership of the Authority is set out under s.6 of the Qualifications (education and training), 1999 and consists of:

- (a) The chairperson of the Authority,
- (b) The chief executive of the Authority,
- (c) Two persons nominated by the Minister, one of whom shall be a person who, in the opinion of the Minister, is representative of community and voluntary organisations,
- (d) One person nominated by the Minister for Enterprise, Trade and Employment,
- (e) The chairperson of the Higher Education and Training Awards Council,
- (f) The chairperson of the Further Education and Training Awards Council,

(g) One person nominated by universities,

(h) One person who, in the opinion of the Minister after consultation with the Minister for Enterprise, Trade and Employment, is representative of learners,

(i) One person nominated by Forfás,

(j) One person nominated by the Irish Business and Employers Confederation,

(k) One person nominated by the Irish Congress of Trade Unions, and

In addition, the Authority shall nominate as members two persons who have a special knowledge and experience related to the functions of the Authority, at least one of whom shall be a person with international experience related to those functions.

10. Structure and Staff of the Authority

The Executive of the Authority is headed up by Seán Ó Foghlú, Chief Executive and has a staff complement of 16.

Framework Implementation and Qualifications Recognition Team

Since the establishment of the Authority the Policy Development Team has worked, in partnership with national stakeholders, on the development of the National Framework of Qualifications with the underpinning aim of creating a lifelong learning society in Ireland. The team also assists stakeholders in implementing the Framework, and in refocusing arrangements for the accessing of learning opportunities and the recognition of learning achievements. The National Qualifications Authority of Ireland is the Irish centre for the recognition of international qualifications, known as Qualification Recognition – Ireland. The service is intended to assist those with foreign qualifications to progress towards further study and/or employment in Ireland.

The function of the recognition service is to compare foreign qualifications with Irish qualifications. The advice generally provides information regarding the foreign qualification held by the applicant and compares the foreign qualification to a qualification which is placed at a particular level in the Irish National Framework of Qualifications.

The Qualifications recognition service is provided free of charge. However, any translation costs incurred are borne by the applicant.

Staffed by:

Dr. Jim Murray, CEO, Dr. Anna Murphy, Director of Framework Development, Trish O'Brien, Development Officer Carmel Kelly, Project Officer Deirdre, Stritch, Project Officer Lorna Conway, Qualifications Adviser Niamh Lenehan, Manager of Operations, Qualifications Recognition William O'Keeffe, Qualifications Adviser Norma Brophy, Administrator
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Routinely Available Information

Division	Category of Records Held
Policy Development	Policy and Planning Eire Policy and Planning International Development of Framework Application forms Correspondence with awarding bodies The above information is also stored

	electronically on Docosoft system and SharePoint
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Corporate Services Section

The Corporate Services Section provides internal support for the Authority as a whole. This support includes administration and IT services, human resources, procurement, facilities management, finance, recruitment and general resource management. In addition, Corporate Services coordinates public relations and information management for the Authority.

Staffed by:

<p>Claire Byrne, Director of Corporate Affairs and Communications, John O'Connor, Development Officer Eamonn Collins, Corporate Business Manager, Sean O'Reilly Celine Kelly, HR Executive Mairéad McMahon, Finance Executive Yvonne Rudden, Clerical Officer Deborah O'Brien, Clerical Officer</p>
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Routinely Available Information:

Division	Category of Records Held
Corporate Services Section	Accommodation Communication/Public Relations Contact Lists (database files) Correspondence/General Financial Accounts Freedom of Information Health & Safety Information Technology Personnel Files Policy and Procedures Procurement Recruitment Files Superannuation

National Europass Centre

The National Europass Centre has been established within the Authority to promote and develop the EU led 'Europass' initiative in Ireland.

Europass is a new way of helping people make their qualifications and competences clearly and easily understood in EU member States, EFTA, EEA and candidate countries.

Europass brings together five documents that have been developed at European level to improve the transparency of qualifications and aims to facilitate mobility of both learners and workers throughout Europe.

Routinely Available Information:

Division	Category of Records Held
National Europass Centre	Europass Documents EU Commission Correspondence EU Commission Meetings Queries Public Awareness Statistics

Staffed by:

Niamh Lenehan, Manager of Operations, Qualifications Recognition
William O’Keeffe, Qualifications Adviser

For more information visit: www.europass.ie

QualifaX

QualifaX is Ireland’s National Learners’ Database. It is the "one stop shop" for learners. We provide the most comprehensive information on further and higher education and training courses. QualifaX ensures that you have all the information you need to make informed choices about your education, training and career paths.

Staffed by:

Tom Farrell, Head of Operations
Siobhan Brennan, Staff Officer
Patricia Reddy, Staff officer
Breda Cahill, Administrator
Annette Reddy, Assistant Staff Officer
Anne Walsh, Administrator
Brendan Slattery, Administrator

For more information visit: www.qualifax.ie

Routinely Available Information:

Division	Category of Records Held
QualifaX	Information relating to: Courses and Programmes of Education Institutions and Provider

ACELS

ACELS administers the scheme which leads to School Recognition by the Department of Education & Science. The list of recognised English Language Training organisations is published on an annual basis.

ACELS' remit also includes recognition of teacher training (TEFL) courses and the development of materials and examinations for overseas students. For more information on the EL Teacher Registration & Qualifications Recognition Project (ELTRQRP) or the Test of Interactive English (TIE), please click the links to the left.

Staffed by:

Jim Ferguson, Head of ACELS
Sue Hackett, Manager ACELS
For more information visit: www.acels.ie

Routinely Available Information:

Division	Category of Records Held
ACELS	Information relating to: Inspections of English Language training organisations. Certification information for various training courses