

## OPENING STATEMENT TO THE JOINT COMMITTEE ON EDUCATION AND SKILLS

### QUALIFICATIONS AND QUALITY ASSURANCE (EDUCATION AND TRAINING) (AMENDMENT) BILL 2018

Department of Education and Skills

18<sup>th</sup> June 2019

#### Introduction

I would like to thank the Joint Committee for the invitation to meet today to discuss the Qualifications and Quality Assurance (Education and Training) (Amendment) Bill 2018.

This Bill will amend the Qualifications and Quality Assurance (Education and Training) Act 2012 which established Quality and Qualifications Ireland (QQI), the national agency with responsibility for external quality assurance and qualifications across the further and higher education sectors.

I would like to provide the Joint Committee with a brief overview of 7 key provisions contained in this Bill.

#### **1. Listing of Awarding Bodies**

The Bill will enable the expansion of the range of awards included in the National Framework of Qualifications by giving QQI explicit authority to 'list' awarding bodies and to include their qualifications in the Framework. Qualifications, such as those awarded by professional and international awarding bodies, are offered by providers in Ireland but are currently unable to access the Framework.

#### **2. Examination of the Bona Fides and Financial Capacity of Providers**

As part of strengthening QQI's quality assurance procedures, this Bill will provide a legal basis for QQI to examine the bona fides and financial capacity of the providers with whom it engages. Following an amendment to the Bill in Seanad Éireann, QQI will also be empowered to assess a provider's compliance with national employment law.

### **3. International Education Mark (IEM)**

A key measure that will be introduced upon enactment of this Bill is the International Education Mark (IEM). The IEM forms part of Ireland's International Education Strategy which aims to foster and strengthen Ireland's reputation as a destination of choice for international students.

Following its passage through the Seanad, the provisions governing the IEM have been strengthened to reflect concerns emerging during debates relating to the employment terms and conditions of education and teaching staff working in the English language education sector. Providers seeking authorisation to use the IEM will be subject to additional requirements and oversight including the establishment of policies and procedures that address specific areas surrounding the employment of their education and teaching staff. QQI will also be empowered to withdraw the IEM from those providers that are found to be in breach of employment law.

In addition to these measures, the Joint Committee will be aware that in January 2019 the Minister for Higher Education appointed Mr. Patrick King as mediator to work with stakeholders in the English language education sector. Since his appointment, Mr. King has been engaging with employer and employee representative bodies to seek to secure agreement on a set of appropriate employment standards for the sector. Mr. King is present at today's meeting and can answer any question that Committee members may have about the mediation process.

### **4. Protection of Enrolled Learners**

The Bill will provide for a more robust national scheme for the protection of enrolled learners (PEL). The current arrangements for PEL as required under the 2012 Act have fallen short of their objective and are no longer fit for purpose. The Bill proposes to replace these existing measures with the establishment of a Learner Protection Fund. The precise details for the operation of the Fund will be agreed following further consultation with stakeholders.

### **5. Prosecution of cheating services**

The Bill will provide QQI with powers to prosecute the provision or advertising of essay mills and other forms of academic cheating. Essay mills present a challenge to the academic integrity of the programmes and awards under the

remit of QQI. The creation of offences for the provision and advertisement of these services will serve to prohibit the practice and make these services more difficult to access.

## **6. Awarding powers for Institutes of Technology**

The Bill addresses the legislative difference relating to award making powers that exists in the relationship between QQI, the Universities and the Institutes of Technology. The Bill provides for amendments to grant award making powers, with the exception of doctoral awards, to all of the Institutes of Technology. This will put the Institutes of Technology on an equal footing with the Universities with which they are expected to establish regional and thematic clusters, as per the goals of the National Strategy for Higher Education to 2030.

## **7. Use of the title “University”**

The Bill contains an amendment to the Universities Act 1997 which establishes a pathway for higher education institutions, whose primary source of income does not derive from the Exchequer, to access and use the title of “university”. This amendment establishes a process whereby such an institution may apply for authorisation to describe itself as a university and provide evidence that it meets the high standards associated with this title. This process will allow an institution, such as the RCSI, to seek the designation “university” while ensuring that the existing regulatory and governance framework operating in the higher education sector remains intact.

## **Conclusion**

This Bill is an important piece of legislation which will further empower QQI as a regulator of quality and will strengthen the Agency’s role in ensuring high standards across Ireland’s education system.

Thank you.