Now … where were we?:

Notes from ELT Ireland's participation in the English Language Education External Advisory Group on the IEM in 2018.
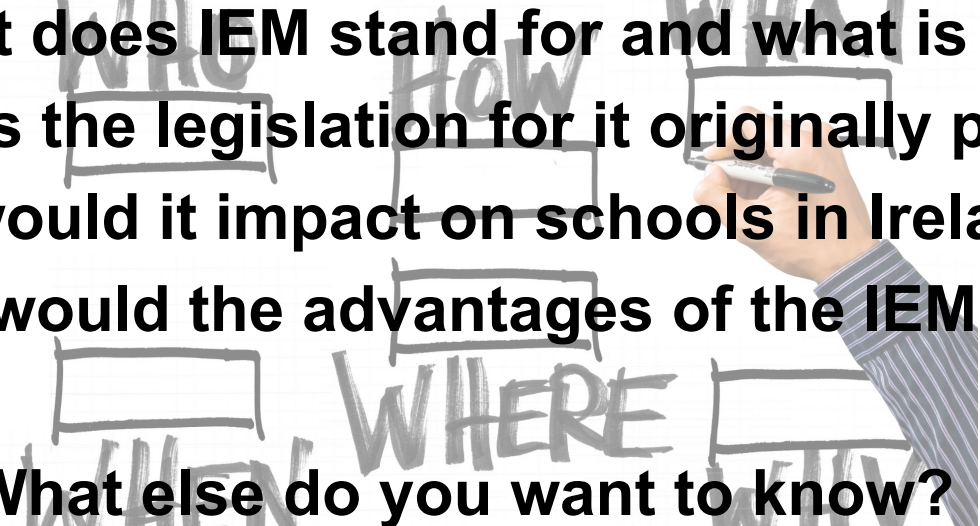
ELT Ireland

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a network of English language teaching professionals

Ready Steady **- Warmer questions**

What does IEM stand for and what is it?

When was the legislation for it originally passed?

How would it impact on schools in Ireland?

What would the advantages of the IEM be?

What else do you want to know?

Ready Steady - Aim of this talk

Abstract: The much anticipated roll-out of the International Education Mark(IEM), which is due to replace the ACELS accreditation scheme, is expected to get underway in 2022 and will represent a major shift in the way language schools in Ireland are regulated.

This talk will look back four years to 2018 to the contributions which ELT Ireland made to the External Advisory Group on the IEM set up by QQI. What were the main issues under discussion, which ones had been resolved and which were still open, when the work of the group was suspended in early December 2018.

The aim is to give ELT Ireland members an insight into how the context they work in may change if the 2018 proposal are implemented over the coming year.

An April Invitation from QQI in 2018

As part of the development process for the IEMs, established under the Qualifications and Quality Assurance (Education and Training) Act 2012, QQI is establishing two External Advisory Groups; one to advise regarding the implementation of the IEM HE (Higher Education) and the other to advise regarding the implementation of the IEM ELE (English Language Education).

As a key stakeholder in the area of international education, we invite you to join the IEM ELE External Advisory Group (or to nominate a colleague to join the group) as a member of the group representing ELT Ireland.

Yours,

QQI

Background - Who can get the IEM

It is available to Education and training providers that can demonstrate;

- their capacity to provide international students with an educational experience which aspires to exceed, the IEM benchmark standards for academic provision and pastoral care

- and are compliant with the statutory Code of Practice for the Provision of Programmes of Education and Training to International Learners

- which provide a benchmark for, the high quality of Ireland's HE and ELE educational provision both in Ireland and internationally.

Background - Objectives of the IEM

- **Ensure** that Irish education and training providers offer an enriching and a high-quality learning experience to international learners from first engagement and enrolment to completion of their programme, or enrolment period.

- **Provide** clear, authoritative and unambiguous info. to international learners on the quality of education and training programmes and associated services in Irl.

- **Foster** and strengthen Ireland's reputation for provision of education to international learners.

- **Establish** a streamlined and rigorous process for assuring the quality of the educational experience offered to international learners in HE and ELE.

- **Create** a strong International Education Mark brand including trans-national HE.

- **Provide** opportunities to further improve and support the experience of the international learner enrolled on an Irish programme either in Ireland or abroad.

Background - Non-IEM regulations

- The study permission regime for non-EEA students is a matter for the Dept of Justice, not QQI.

- Labour law relating to people that work in provision of education and training to international learners (e.g. staff contracts, clear job descriptions etc). The state agency responsible for this is the Workers' Relations Commission (WRC).

- There are a few state agencies with responsibilities for student accommodation: one is the Residents' Tenancy Board of Ireland (RTB).

- Local authority requirements in relation to premises and fire safety.

- Tax compliance in relation to gross income, employer tax liabilities, VAT etc. Revenue is the state body responsible for all issues related to tax and liabilities.

- Health and safety issues

- Child protection issues. The state agency is TUSLA

Approaches - **Provider v Programme**

Possible Approach 1 -

Provider level authorisation applications and programme level authorisation applications are treated in an identical manner. In both cases, providers are expected to fulfil all of the standards as set out in the Code of Practice etc.

Possible Approach 2

Programme level authorisation applications and provider level authorisation applications are processed in a different manner. QQI will need to establish how the criteria for the two application types differ.

Approaches - Application Process

Possible Approach 1

Provider engages an auditor to audit the self-evaluation report.

Self-evaluation and auditor's report are submitted to QQI for consideration.

QQI authorises/does not authorise the provider to use the IEM.

Possible Approach 2

Provider submits self-evaluation report to QQI.

QQI audits the self-evaluation report to ascertain if provider has met standards

The audit is verified through a site visit of QQI nominated reviewers

QQI authorises/does not authorise the provider to use the IEM.

REVIEW PROCESS including site visits every 3 years which may lead to withdrawal of authorisation

External Advisory Groups - A way to

1. Provide advice and feedback to QQI on the development of the International Education Mark for English Language Education (ELE).

2. Provide advice on the development of the *Code of Practice for the Provision of Programmes of Education and Training to International Learners in English Language Education*

3. Provide advice on the development of an operational plan for the IEM (ELE), including fees, the annual charge and the ongoing management and promotion of the IEM (ELE) once operational.

Planned Meetings: The IEM (ELE) – External Advisory Group will meet throughout 2018, starting from April 2018. Meetings scheduled every month until July 2018 and maybe every 6 or 8 weeks from then through to the end of the year.

External Advisory Group - Members

Department of Education and Skills (International Section)

- Department of Education and Skills (Qualifications Section)

- Department of Foreign Affairs and Trade

- Education in Ireland, Enterprise Ireland

- Irish Naturalisation and Immigration Service

- Irish Council for International Students

- Marketing English in Ireland

- ELT Ireland

- Newly established English Language school (post 2015)

- A Young and Teenage Learner expert

- An international expert(s) in ELE Quality Assurance

- HEI with English Language Education provision

- Manager of Regulatory Projects, QQI

- Manager of Validation of ELE, QQI

- Head of Cyclical Reviews, QQI

- Communications Manager, QQI

- Other QQI staff members, as appropriate

Members shall represent the groups for which they have been selected as well as contribute their own insights as a representative of their groups, feeding back the comments as elicited from their groups. Direct public consultation takes place at a later stage (planned for Oct-Nov 2018).

IEM Legislation - Update Sept 2018

Qualifications and Quality Assurance (Education and Training) (Amendment) Bill 2018 is currently before Seanad Éireann, First Stage. The DES have informed QQI that a committee is to be established shortly to discuss the amended Bill with interested parties.

The main changes that will result from it are:

- There will be two versions of the IEM; IEM for Higher Education (IEM HE) and the IEM for English Language Education (IEM ELE).

- The IEM will be extended to include students undertaking programmes of higher education and training overseas, which leads to Irish awards.

- The amendments will give QQI stronger powers to assess providers' corporate fitness including ownership arrangements and financial viability of providers which is a pre-requisite to applying for authorisation to use the IEM.

IEM Legislation - Questions raised

1. Will junior provision be included in the IEM ELE? The point was made that this cohort represents approx. 50% of annual enrolment numbers in many MEI schools currently. = **YES**.

2. QQI is working towards being ready to implement the IEM as soon as the legislation has been passed. Will the timeframe of approximately one year still stand for having a draft policy and implementation plans for the IEM ELE prepared? = **Working towards having the Code of Practice and IEM ELE policy drafted by early 2019.**

3. Is the predicted timeframe for the introduction of the IEM in 2020 still relevant? (Opening to applications in 2019) = **Yes - although this is dependent on the factors above.**

External Advisory Group - 1st meeting

Friday 18 May 2018 - **Agenda**

1. Welcome and Introductions

2. Approval of Terms of Reference – IEM ELE External Advisory Group

3. Amended Legislation – Update

4. International Education Mark – An Overview

5. International Education Mark – Issues Arising (Discussion)

6. Next Steps

7. Any other business

8. Next Meetings

External Advisory Group - 2nd meeting

Thursday 21 June - **Agenda**

1. IEM ELE External Advisory Group – Meeting Note 18 May 2018 (attached)

2. Updates since last meeting

3. Towards a Policy Approach for the IEM ELE – Discussion Document (attached)

4. Code of Practice for the IEM ELE

5. Next Steps

6. Next Meeting

7. AOB

External Advisory Group - 2nd meeting

ELT Ireland submitted that Teachers hope the IEM will;

- Lead to the development a professional career path within institutions based on annualised contracts

- Preserve the scope for seasonal work including for state qualified teachers

- Discourage advertising / defining positions by nationality

- Encourage a supportive and developmental working environment

This could be achieved through

- Self-declarations of compliance with employment laws.

- Code of ethics

External Advisory Group - 3rd meeting

Thursday 15 November 2018 - **Agenda**

1. IEM ELE External Advisory Group – Meeting Note 21 June 2018 (attached)

2. Updates since last meeting   a. Legislation

                                       i. Update

                                       ii. QQI submission to the Joint Committee on Education and Skills Oct 2018

                                   b. meetings with Education in Ireland and INIS

3. Draft 1 Code of Practice for the IEM ELE (attached)

4. Next Steps

5. Next Meeting

6. AOB

ELE CoP Sub-Group - Work Schedule

Review what the Code is required to do (ref the QQI Act), review the current Code of Practice (published in 2015) and gather other codes in operation in other jurisdictions internationally for comparison **- By Early September**

Code of Practice sub-group meet to review existing Code of Practice and agree on approach to producing an ELE specific Code of Practice. **- 6 Sept 2018**

A revised and expanded CoP is agreed with Sub Group - **by Oct 18th 2018**

Revised and expanded CoP is circulated to IEM ELE Advisory Group for discussion and agreement at its next meeting **- Week of 21 st October**

Meeting of full ELE Advisory Group **in November**

Public consultation regarding Code of Practice and IEM policy and authorisation procedures - **December – January 2019**

Discussion Doc - Sub Group Feedback

Chapter 1 - INTRODUCTION

Pg 3 – Annual Fee. Query as to what is covered by the fee? How does it link to the Education in Ireland brand and fee?

Pg 4 - IEM ELE and IEM HE by their nature will be diverse, hence differing Codes of Practice should be associated with each.

Is the IEM ELE only for English language provision. What about English language teaching qualifications e.g. CELTA?

The implications of a provider attaining the IEM in one sector and not in another needs to be explored e.g. provider attains IEM HE but does not attain IEM ELE.

Consider changing/including a section in chapter 1 which outlines what the benefits of the IEM is to providers.

Change the emphasis of chapter 1 in this regard.

Discussion Doc - Sub Group Feedback

Chapter 2 - RANGE OF ELIGIBLE PROVIDERS

Pg 9 – clarify which providers eligible to apply for IEM authorisation at first two bullet marks; is this and/or …

"different version of the IEM" – change this sentence to accurately reflect situation.

Will junior 'pop-up' schools wish to/need to apply for the IEM?

Where do Foundation Programmes fit in, in IEM implementation plans?

Brexit will have implications on the attractiveness of Irish foundation programmes.

There was strong support for IEM ELE authorisation to be at provider level as opposed to programme level.

Foundation programme candidates could be juniors i.e. under 18 in some circumstances.

Discussion Doc - Sub Group Feedback

Chapter 3 - ISSUES ARISING

Approach 2 is favoured – set the bar for IEM authorisation high from the outset. Could also be an iterative process.

Page 13 – non quality-related issues, QQI does not have the vires to enforce sanctions in these areas. The list of

issues is not exhaustive, review and reword this section.

Include in Code of Practice how non-quality related issues will be dealt with if they arise with an IEM authorised

provider. E.g. whether non-adherence to these issues could lead to removal of the IEM.

Yes, IEM authorisation should be linked to study permissions.

Discussion Doc - Sub Group Feedback

Chapters 4&5 - OTHER APPROACHES & PROCESS FOR AUTHORISATION

Look at the criteria set out under government requirements e.g. requirements set by Italian government regarding the countries/providers with which it will engage with. Cover these criteria also in the IEM.

Consider international models but also keep in mind the national context.

Self-evaluation by the provider is not the ideal means of evaluating a provider against the Code of Practice. QQI should undertake and authorisation process and ensure providers are in compliance with the Code of Practice.

Appeals process must be given much consideration – must be timely, independent etc. Query as to whether the appeal will be public information? Who will know provider is at appeal stage?

IEM ELE authorisation needs to be inspection based, not a desk based review exercise.

Discussion Doc - Sub Group Feedback

Chapters 6&7 - FUNDING & BRANDING AND MARKETING

Annual charge – should be proportionate to the size of the organisation. Possibly different annual charge bands for providers?

Regarding marketing internationally, there needs to be provision in the marketing budget for the IEM to be marketed in ELE for a such as ICEF and ALFIE.

Query as to who will market the IEM ELE in Europe?

Discussion Doc - Sub Group Feedback

Contribution from ELT Ireland

Europass euro Language Portfolio could provide a framework for local certification of short-courses and for junior students, which is not currently considered. There is only the possibility of QQI certification for academic year programmes.

IEM (ELE) - Code of practice

The Qualification and Quality Assurance (Education and Training) Act 2012, requires QQI to "...establish and publish a code of practice to be complied with by providers of programmes of education and training to international learners in the State for the purposes of obtaining authorisation from the Authority to use the international education mark".

- The Code of Practice may include different provision in respect of different providers or providers of different classes.

- The implementation of the IEM and the Codes of Practice are a key Strategic Priority 1. The National Strategy states that Ireland's International Education offering must be "…underpinned by a robust regulatory environment in order to safeguard Ireland's reputation internationally. The International Education Mark will be developed and legislation enacted to enhance our quality framework for international education in this regard".

IEM (ELE) - Code of practice

As pre-requisites to an IEM application, the provider must have already established and obtained approval from QQI for quality assurance to apply for authorisation to use the international education mark with;

- established procedures for access, transfer and progression as relevant.

- established arrangements for the protection of enrolled learners.

The legislation also sets out two payments for the IEM:

1) an application fee paid when the provider applies for the IEM – therefore, a one-off fee

2) an annual charge for the use of the IEM, and a review process which QQI will put in place for reviewing the compliance with the Code of Practice and provider's use of the IEM.

IEM (ELE) - CoP Development

The CoP needs to be robust and able to differentiate quality-oriented providers from the others. It needs to set a bar which raises quality and focuses on the key services. This will be key to fostering our reputation and ensuring a mark which can compete internationally.

Re the junior sector, it was emphasised that this is not solely seasonal schools with provision taking place year round, that (similarly to the adult sectors) there is a dependency re access to home country government scholarships and the destination country national mark, that the junior sector plays a strategic in relation to feeding students into both the adult ELE sectors and to HE. MEI highlighted that this sector comprises 50+% of their members' annual student enrolments.

The issue of safeguarding and garda vetting was discussed with particular reference to the junior sector.

IEM (ELE) - CoP Development

The market for international student programmes leading to access to HE was highlighted as a strongly emerging sub-sector. The need to ensure quality provision of this type of offering was raised.

Application process was raised underlining that most of the applying providers will be establishing a relationship with QQI for the first time. This means they will have to gain approval of their QA as well as for the CoP. It was stated that a coherent application process is being explored, i.e. a provider can apply for both processes at the same time with the chronology of 1) QA approval, 2) authorisation to use the IEM, being maintained.

From the learner perspective, the need to assure protection for the learners in the event of a sudden school closure.

IEM (ELE) - CoP Development

Questions were asked about PEL – will it address enrolments of less that 12 weeks, will smaller providers be able to access it, will PEL cover all services such as accommodation. A response was given that these issues are currently being explored. PEL is not within the remit of this group.

Resources for the implementation of the IEM were discussed. It was agreed that putting in place the process to approve the quality assurance of providers and authorise them to use the IEM ELE is a substantial job.

Adequate resources will need to be put in place to undertake this work.

The relationship between the IEM ELE and the ILEP was queried, i.e. will the ILEP cease with the introduction of the IEM.

Student accommodation was raised as an issue, i.e. the lack of decent accommodation, especially in Dublin.

IEM (ELE) - CoP Development

The IEM authorisation process was queried. It was confirmed that site visits to schools will be part of this process.

Generally, the group concurred that the IEM needs to set a high standard which is comparable internationally, and positions Ireland in the forefront of ELE.

The fees set for the IEM should not exceed those set by other competitor countries/ accreditation bodies, e.g., British Council

o It is important that the fees are not prohibitive, especially for small, regional and rural English language schools where the school are an important employer in the area etc.

ELE CoP Structure - Section 1

Eligibility requirements to access CoP

- Corporate fitness - Ownership - Financial viability

Policy framework for ELE incorporating the principles of

- Appreciation of difference and fostering of intercultural awareness
- Social integration
- Transparency of information and procedures for learners and staff
- Plurilingualism 1
- Appreciation of diversity, difference
- Ethical treatment of stakeholders (internal and external)
- Support for other related state services (immigration, marketing and promotion, foreign affairs, revenue etc)

ELE CoP Structure - Section 2

National legislative obligations

DoJ, TUSLA, CoCos, Fire Depts, HSA, Revenue, Data Protection, IP, Company Law, Education in Ireland (EI), WRC

Public Information & External Communication

- programmes - staff - student fees

- agents - location and facilities

- public amenities, e.g., public transport

- management of IT and social media

ELE CoP Structure - Section 2

Financial
- Fees - Subsistence costs - Refunds -Tax Compliance

Marketing
- Direct - Agents

Premises
- Classrooms - Facilities - Staff rooms - Common area - Recreation spaces

Health and Safety
- Minors; supervision, Garda vetting
- Fire safety
- Physical environment

ELE CoP Structure - Section 2

Staff Recruitment
- Academic - Administrative - Supports for staff: training, CPD

Student Recruitment, Admissions and Exit
- Learner lifecycle

Student Services
- Welfare, pastoral care
– whole student experience
- Safeguarding (minors)
- Accommodation

Complaints and Appeals/ Grievance Procedures

ELE CoP Structure - Section 2

Academic requirements (cross referenced to Core QAGs)

- Organisational; Structure, Governance
- Communications; management of internal communication, channels of communication, communication system for decisions taken, records
- Curriculum
o Design and Monitoring
o Academic Resources; learning, teaching
o Teaching and Learning; delivery, self-study, blended
o Assessment
- Feedback Systems
- Data management
o Students
o Staff

ELE CoP - Sub-Group 1st Meet 6/09/18

1. Providers must have robust QA systems in place, including internal QA, so that standards are consistently maintained.

2. Irish IEM ELE must be synonymous with consistent and clear standards.

3. Internationally, parents and students should know/be informed that they should attend IEM authorised schools.

4. CoP must consist of rigorous standards that cannot be sidestepped.

5. The IEM ELE should set a national quality benchmark for ELE provision.

6. Minimum standards and practices at a level which is realistic and ensures an internationally comparable high standard. Sets a national quality benchmark.

Comments were made that internationally, Ireland is regarded at present as having no regulation in ELE, specifically that anyone can open and operate a school without any quality checks.

ELE CoP - Sub-Group 1st Meet 6/09/18

7. A suggestion was made that elements of the old Code of Practice and the current ACELS scheme should be retained where considered pertinent. The response was that whereas there may be good elements in both which can be rearticulated in the CoP IEM ELE we should start with a clean slate in terms of a proposal which reflects current and comprehensive best practice.

8. There should be a clear division between academic management and general management.

9. It was suggested that sections that would need to be included in the Code of Practice include – Marketing; Pastoral Care and Internal QA systems.

10. Regulations regarding premises will need to be in line with statutory regulations.

ELE CoP - Sub-Group 1st Meet 6/09/18

11. Transparency and accountability of agents – the London Statement conditions apply. (Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants - 19 March 2012)

12. Provider transparency in terms of handling of fees, refunds etc needs to clear, with public information which is unequivocal.

13. There should be a standard administrative fee which is deducted in the context of refunds, i.e. not dependent on individual providers.

14. Finance should be transparent.

15. There should be a section for self-evaluation (peer review within a self-evaluation model?).

16. Learners must be assured of a fair and high-quality service. Expectations need to be established and met.

ELE CoP - ELT Ireland contributions

- **Application procedures** ascertain that the student has the relevant skills and experience which could responsibly be expected to enable them to successfully complete the course in the time available. = The same obligation as on Teacher Training courses considering study skills as well as language skills.

- **Systems in place for cross institutional communication** with regular minuted meetings between, academics, sales and operations to present new programmes and review the performance of the current ones. = Working to make sure delivery is in line with expectation is a key issue.

- **Obligation to publish the inspection reports**. To include the numbers of successful completions. = Transparency for learners, agents, employees

- **Educational rationale for programmes**. How duration and approach is valid from an educational perspective. = E.g. why A1-A2 is same duration as B2-C1.

ELE CoP - Sub-Group Meetings

First meeting on the 6th Sept 2018

Next date for a meeting is **Wednesday the 3rd of October**

We are postponing the meeting scheduled for next week. (27th Sept)

We can confirm that the agreed date is **Thursday the 1st of November**

Unfortunately, we will need to postpone this meeting (1st Nov)

We are organising a meeting of the IEM ELE External Advisory Group to dovetail with the IEM HE External Advisory Group meeting. Therefore this is taking place after the IEM HE EAG meeting on **Thursday 15 November**

Next meeting of the IEM ELE Sub-group is **Thursday 13th of December,**

The meeting is cancelled for next Thursday and we will be in touch in January to set a date for the re-scheduled meeting. (7th Dec)

ELE CoP - Everything is suspended

Due to the outcome on Wednesday of the Senate Committee stage which have implications for alterations to both the indicative content of the CoPs and the statutory consultative processes, we have been advised that we should postpone meetings of the advisory groups until this stage of the legislative process is concluded.

https://www.oireachtas.ie/en/debates/debate/seanad/2018-12-05/20/

That was December 2018 …