

Collaborative Provision Policy (RCPI-Pol-095)

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Related Documents	<p>RCPI-Pol-040 – Policy on funding received from an External Body</p> <p>RCPI-Pol-041 – Industry Sponsorship and Support Policy</p> <p>RCPI-Pol-113 – Conflict of Interest Policy</p>

1. Purpose

This policy guides the quality assurance procedures for collaborative provision programmes. It sets out the context, guiding principles, and framework of responsibilities, structures, and processes for the:

- Principles used to evaluate proposals for partnerships with institutions and the phases of review and approval.
- Governance related to the development, approval, management, and delivery of collaborative programmes; and
- Development of collaborative provision programmes, the validation or re-validation of collaborative provision programmes.

This policy is based on principles of QQI's policy for Collaborative Programmes, Transnational Programmes and Joint Awards [Revised 2012] (Hereafter, QQI Guidelines) and is implemented by a procedure that enables and supports the delivery of a consistent and quality focused system.

2. Scope

This policy applies to programmes as defined below and to all staff involved in the approval, development, delivery, review, and revision of these programmes.

3. Responsibilities

RCPI's Academic Board establishes the overarching strategy for collaborative programmes together with Senior Leadership Team (SLT) and the RCPI Executive Board. The Head of Function is responsible for the implementation of this policy.

4. Introduction

At an institutional level, RCPI has set a strategic objective of being a forward thinking, globally active and dynamic organisation, underpinned by financial strength, and collaborative provision is a key strategic initiative of the College. As such, RCPI wishes to support the development of such collaborative programmes if these are strategically appropriate, underpinned by due diligence and robust quality assurance mechanisms to minimise the associated risks. Collaborative provision is a significant undertaking that presents a unique set of challenges and there should be clear benefits from establishing any collaborative programme.

Collaborative programmes will:

- Be subject to at least the same quality assurance standards as other RCPI education programmes

- Have clearly defined roles and responsibilities for each partner provider, and operating procedures reflecting the higher level of risk involved
- Have a mechanism to approve, monitor and review collaborative provision programmes
- RCPI is responsible for any activities conducted in its name and this extends to activities conducted by a partner in a consortium. RCPI will consider entering into a consortium agreement with a prospective partner provider on a case-by-case basis.

Collaborative Provision

Collaborative Provision, as defined by QQI, means two or more providers being involved by formal agreement in provision of a programme of higher education and training. The form of collaboration provision may be in:

- the development of the programme
- the academic monitoring of the programme
- the teaching
- the assessment
- combination of any of the above

Provider

Provider, as defined by QQI, means a person who, or body that, provides, organises, or procures a programme of education and training and references to “provider” should be construed accordingly.

5. Evaluation of Proposals for Partnerships

RCPI seeks to:

- Confirm that the potential collaborative provision programme aligns with RCPI strategic objectives
- Ensure that any programme leading to an RCPI award delivered by a partner provider is, in all material respects, equivalent in quality and standard to programmes delivered by RCPI. This includes protection of the enrolled learner, learner representation, academic support and pastoral care to learners being paramount
- Ensure appropriate and transparent corporate governance arrangements to safeguard against academic and/or financial impropriety, recklessness, and negligence
- Retain primary responsibility for the management and delivery of programmes to learners
- Conduct appropriate academic, financial and governance due diligence checks together with ongoing monitoring and review
- Establish a formal legally binding consortium agreement for all collaborative provision

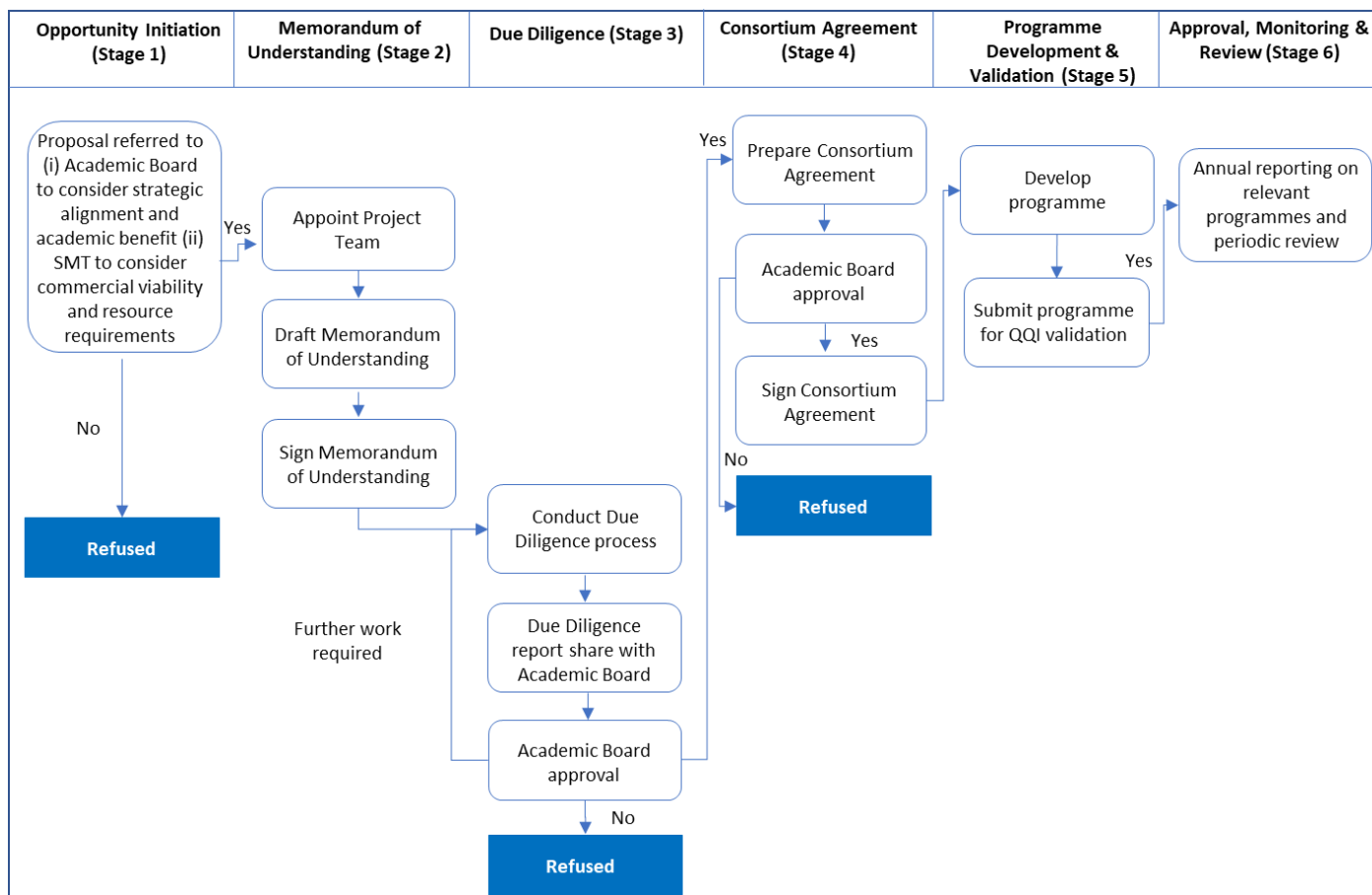


Figure 10-1 Overview of Collaborative Provision staged review process

5.1 Opportunity Initiation (Stage 1)

Participation in a collaborative programme may arise by RCPI identifying a potential partner or a third-party prospective provider approaching RCPI. RCPI will only consider collaborative programmes with prospective partners who have an excellent academic reputation and sound financial standing.

On receipt of a programme proposal, it is first shared with the Academic Board to consider if the proposed collaborative programme aligns to RCPIs strategic aims and if there is a clear academic benefit for RCPI learners. If deemed suitable, the Academic Board refer the proposal for Senior Management Team consideration to determine if it is commercially viable and the resource requirements are available to develop and deliver the education programme. A business case submission (T002a Business Case Template) outlining the opportunity, benefits,

rationale, and risk associated is submitted to the Senior Management Team. The proposal proceeds to stage 2 if initial approval from the Senior Management Team is received and a Project Team is appointed.

5.2 Memorandum of Understanding (Stage 2)

The Project Team prepares a Memorandum of Understanding (MoU) between RCPI and the prospective partner to support exploration of the opportunity and exchange of confidential information. The MoU is a formal non-binding document that expresses an intention to cooperate with one another during the exploration and exchange phase and is signed by both CEOs. MoUs do not require formal approval from the Academic Board. A template of the MoU is included in Appendix 2. Once the MoU is signed by both partners, we proceed to the next stage.

5.3 Due Diligence (Stage 3)

Due diligence is carried out to evaluate the academic, commercial, and legal feasibility of the proposed collaboration and to manage risk, safeguard the interests of learners, and protect the reputation of RCPI. This process will inform what is contained in the Consortium Agreement. The project team appointed by the SLT supports this due diligence process.

When considering entering a consortium with a partner provider, RCPI must evaluate if a prospective partner provider is a good strategic fit and whether their objectives are aligned with our mission and values. The prospective partner must be in good academic and financial standing, legally entitled to enter into the Consortium Agreement, competent and sufficiently well-resourced to fulfil its obligations. The academic objectives of prospective providers must be compatible with those of RCPI to assure the quality of the programme proposed and the prospective provider should have a background in providing similar higher education programmes.

In carrying out the due diligence process, RCPI will be guided by the checklist outlined in the IHEQN Guidelines for the Approval, Monitoring and Review of Collaborative Provision. This is reproduced in Appendix 1 of this document.

Some key areas of consideration include:

1.1.1 Academic

Prospective partner providers must be in good academic standing. In assessing the suitability of a prospective provider, RCPI pays particular attention to their:

- Educational motivations and objectives
- Experience in operating an educational organisation
- Knowledge and experience of the cohort of learners
- Academic quality, reputation and standing

- Continuing professional development provided to staff involved in education programmes
- Other collaborative partnerships the prospective partner has developed

1.1.2 Financial

Prospective partner providers must be in good financial standing. In assessing the suitability of a prospective provider, RCPI pays particular attention to their:

- Business strategy/business plan
- Business structure, corporate governance, and ownership
- Financial strength and stability (solvency)
- Financial probity

1.1.3 Legal

Prospective partner providers must be legally entitled to enter into the Consortium Agreement. In assessing the suitability of a prospective provider, RCPI pays particular attention to their:

- Formal legal status
- Compliance with Data Protection legislation
- Compliance with the laws of the country
- Compliance with legal authorities to operate educational programmes
- Protection of enrolled learners
- Insurance

1.1.4 Quality Assurance

QA procedures need to cover the operations of the programme in question and are shared by both providers and included in both organisations' QA procedures.

1.1.5 Management

Prospective partner providers must have strong management and administrative capabilities. In assessing the suitability of a prospective provider, RCPI pays particular attention to management and staffing resources to ensure it is a competent organisation and sufficiently well-resourced to fulfil its obligations.

1.1.6 Reputational

RCPI is responsible for any activities conducted in our name including as part of a collaboration. In assessing the suitability of a prospective provider, RCPI pays particular attention to the prospective partners reputation in providing similar higher education programmes.

1.1.7 Ethical

Partnerships for collaborative provision programmes should promote mutual respect, openness, and transparency. Programmes should account for the full diversity of the cohort including culture, teaching and learning norms, pedagogical practice, legal environment etc. Due regard should be given to ethical considerations, including respecting the rights of learners and staff of both RCPI and the prospective partner.

1.1.8 Facilities and Infrastructure

Prospective partner providers must have suitable educational facilities and infrastructure in place to deliver the collaborative provision programme. In assessing the suitability of a prospective provider, RCPI pays particular attention to their location, quality of buildings and facilities, including Virtual learning environment for the provision of blended and online education, and the quality and adequacy of learner supports provided, specifically in relation to library resources and other supports. As part of this process, RCPI may require a site visit to prospective partner be undertaken.

A report summarising the outcome of the due diligence process is shared with the Academic Board which reviews the merits of the collaboration focusing exclusively on developing, protecting, and maintaining the academic standards of the College. The Academic Board makes recommendations to the Executive Board who review the report and proposed collaboration in terms of commercial/financial viability. If approved by both Boards, we proceed to the next stage.

5.4 Consortium Agreement (Stage 4)

Following a successful outcome of the due diligence process, discussions commence to prepare the Consortium Agreement. The Consortium Agreement is drafted in line with guidelines as set out in QQI's Policy for Collaborative Programmes, Transnational Programmes and Joint Awards, Revised 2012.

The Consortium Agreement is a written and legally binding agreement, developed between the parties of the collaborative arrangement, setting out the objectives of the partnership and the rights, responsibilities, and obligations of each party. It provides a legal framework for the proposed collaborative programme and is designed to ensure that obligations and responsibilities are clearly defined, that policies and procedures of the awarding body are complied with, that the programme is provided in a streamlined manner, and that the interests of learners are protected. It must comply with national and international legislative requirements as relevant.

The Consortium Agreement includes Schedules which provide relevant information about the programme(s) to be provided. The Collaborative Provision Procedure (RCPI-SOP-096) defines the procedural arrangements for quality assurance, delivery, and management. RCPI retains oversight of and has a clearly defined appropriate degree of responsibility for the following:

- arrangements for advertising and recruitment of learners
- access, transfer, and progression of learners
- academic staff involved with the programme
- quality assurance
- learner assessment
- awards

The prospective partner may be involved in these activities but RCPI has responsibility for activities conducted in its name.

The Academic Board must approve the key principles contained within the Consortium Agreement. Once agreed, it is signed by the:

- The President or CEO of RCPI; and
- A person of equivalent position/seniority within the partner institution

Two original versions of the final Consortium Agreement should be signed. The Consortium Agreement is time limited (5 years) and reviewed at the end of the five-year period. Copies of the signed documents must be stored and maintained in accordance with the RCPI's Records Management Policy (DP-Pol-089).

Appendix 6 of the IHEQN Guidelines for the Approval, Monitoring and Review of Collaborative and Transnational Provision (reproduced at Appendix A to this document) provides a specimen Collaborative Agreement. This is reproduced in Appendix 3 of this document as a template for the Consortium Agreement. This agreement is tailored to the needs of RCPI and the partner and with reference to the nature of the programme(s) in question. Key issues for consideration are:

a. Scope of the Agreement

- The nature of the services to be performed by each partner provider

b. Roles and Responsibilities

- A definition of the roles, responsibilities, rights, obligations, and legal capacities of each party, including:
 - Joint Programme Management – transparent corporate governance arrangements including management structure, decision-making, and reporting
 - Programme development including Module development
 - Admissions – Prospective learners apply to a single entity, RCPI, for admission to an individual programme and information about the programme is easily accessed on RCPIs website, including:
 - The name of the partner provider(s)
 - The awarding bodies
 - The programme’s accreditation/validation status
 - The type of award
 - The award name and its placement on the relevant framework of qualifications
 - Prior learning and other entry requirements
 - Recognition by regulatory, statutory, or professional bodies
 - The programme structure and intended programme learning outcomes
 - The regulations that apply (such as assessment, appeals and complaints); and
 - The study period schedule
 - Registration and Fees – payment of fees
 - Learner Complaints, Disciplinary and Appeals
 - Examination Arrangements
 - Quality Assurance Arrangements
 - Awards – Parchments and Transcripts
 - Staff – Programme management structure, staff responsibilities (academic and administrative)
 - IT Support
 - Other Rights and Responsibilities of the Partners

c. Structure of the Programme

- The award and title
- Awarding body
- Length of Programme
- Programme structure – Virtual Learning Environment (VLE), modes of learning, and the parties responsible for development and delivery. Information given to prospective learners and to those

registered on a programme must be appropriate, accurate, consistent, and reliable, and of a standard comparable to that provided to learners of RCPI

- Curriculum
- Learning Outcomes
- Assessment strategy: the conditions under which an award will be recommended (marks and standards).
 - Assessment requirements of prospective partners must reflect RCPIs approved assessment framework. The prospective partner must be able to demonstrate that:
 - assessment undertaken or academic credit assigned by RCPI must be fully and automatically recognised by the prospective partner provider
 - assessment is equivalent to comparable programmes awarded by RCPI
 - assessment is aligned to the same learning outcomes as assessment of learners on similar programmes in RCPI; and
 - appropriate pedagogical activities allow for timely and constructive feedback to learners.
 - Arrangements must be established and tested to ensure the security and the integrity of the assessment process.
 - Where a programme approved for provision nationally is being extended to an international location, as far as possible, the examination process must be moderated by the same extern examiner(s).
- Language of tuition/instruction – consideration must be given to English language proficiency in international teaching staff and skills in teaching learners for whom English is not a first language.
- Entry requirements – learners are required to meet RCPI minimum entry standards, including acceptable standards of proficiency in English.
- Teaching Faculty – the level of qualification/experience and professional registration/ accreditation requirements. Where relevant, consideration must be given to the comparability and equivalence of international academic/teaching qualifications.
- Methods of delivery
- Academic/Credit framework – Award standard and programme learning outcomes align with relevant qualifications frameworks e.g., National Framework of Qualifications (QQ), Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) or other international equivalents. Curriculum and learning outcomes must be equivalent programme to programmes delivered by RCPI.

- Resources – the provision of physical facilities and electronic resources, including pastoral support, library, and IT facilities together with learner support services. The learner supports and resources delivered by a partner provider/internationally must be of the same standard to those provided nationally in RCPI.

d. Learner Progression

- Policy for Access, Transfer and Progression for Learners of the National Qualifications Authority of Ireland applies to collaborative programmes.

e. Quality Assurance Arrangements

- Quality assurance standards equivalent to those required for other RCPI programmes must be met i.e., policies and procedures for transfer, progression, plagiarism, discipline, appeals, complaints etc.
- Roles and responsibilities for the maintenance, sharing, transfer, retention and management of learner records and the management of applications, enrolment, academic fees, registration, progression, and final award.
- Equality/diversity/inclusivity
- Arrangements for learner feedback and closing the loop
- Appointment of independent external examiners and/or provision of external monitoring as appropriate. Duties and responsibilities of the extern examiner must be clearly detailed and mirror those adopted in RCPI, while taking into consideration certain duties that may be specific to the partner institution / international context.
- Internal procedures and arrangements for internal programme review as well as monitoring and review of the agreement.
- Arrangements for annual, periodic, and interim review (as required).
- External quality assurance arrangements (if relevant)

f. Financial Arrangements

- Respective liability for costs, e.g., capital, delivery, administrative costs.
- Agreed income split or other financial arrangement.

g. Indemnity and Liability

- Indemnity and liability, including the entity (normally the partners) that learners can hold legally liable for any deficiencies in the provision of education and training

h. Intellectual Property Rights

- Jointly developed - all the elements of the collaborative programme should have full recognition by the consortium as constituent parts of the collaborative programme
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i. Awards – Parchments, Digital Certificates and Transcripts

- Arrangements for awards, including the production of parchments and / or digital certificates, together with the maintenance of an archive of results and transcripts
- Certificate references that programme is delivered in conjunction with partner provider

j. Marketing and Advertising

- All media presentations, including press releases, in relation to the collaborative provision must be factual, fair, and accurate.
- Website of both RCPI and its partner provider must reflect details of the collaborative programme together with dates where relevant.
- Agreement on the use of logos and procedures for the approval of programme promotional/marketing material, to ensure the provisions of clear and accurate information and appropriate branding.

k. Other Rights and Responsibilities of the Partners

- Partner providers may not sub-contract any of their responsibilities or rights under the agreement without the written consent of RCPI. Any sub-contract arrangement would require revalidation from QQI.
- General Data Protection Regulation (GDPR) – arrangements for the collection and maintenance of the information required, in adherence with GDPR requirements
- Arrangements relating to agents (if relevant)

l. Dispute Resolution

- Dispute resolution process

m. Duration

- Term of the agreement

n. Termination/Contingency Plan/Protection of Enrolled Learners (PEL)

- Notice period required to terminate the agreement
- Arrangements with regards to Protection of Enrolled Learners in the event of suspension or termination of the agreement, e.g., provision, support, and financial arrangements in respect of learners enrolled on programmes
 - Mechanism by which RCPI will fulfil its obligations to learners if a collaborative programme cannot be continued
 - The legal obligations of each partner in respect of PEL and the arrangements to enable learners to continue their studies or to have their fees refunded if a partner provider decides to discontinue the programme.

o. Force Majeure

- Neither party shall be liable to the other nor deemed in default of agreement if reason is Force Majeure

p. Notice and Other Communications

- All, consents, approvals and requests shall be in writing.

q. Governing Law

- Legal jurisdiction

5.5 Programme Validation (Stage 5)

Validation of collaborative programmes must comply with QQI's Policy for Collaborative Programmes, Transnational Programmes and Joint Awards, Revised 2012. In particular:

- All collaborative programmes must be validated.
- If a programme being proposed for collaborative programme has already been validated by QQI for delivery by RCPI, the programme documentation will be submitted to QQI, with the MoU and Consortium Agreement. The extent of validation or revalidation will be determined by QQI, as deemed appropriate.

- If an existing programme already validated by QQI is converted into a collaborative programme, the new programme must be revalidated by QQI to ensure the intended learning outcomes comply with the relevant award standard.

Subject to QQI validation, the award for a collaborative programme will be on the appropriate level of the National Framework of Qualifications (NFQ) as set out by the programme validation.

For the validation of collaborative programmes leading to single awards within Ireland, QQI's Policy for Collaborative Programmes, Transnational Programmes and Joint Awards, Revised 2012 applies. The QQI Policies and Criteria for the Validation of Programmes of Education and Training (2016) set out the processes involved.

Validation of a collaborative programme is normally conditional on the commencement of the Consortium Agreement.

5.6 Approval, Monitoring and Review (Stage 6)

All collaborative programmes require regular monitoring to ensure that that obligations, roles, and responsibilities are being adhered to. The programme will be evaluated in accordance with the Programme Monitoring and Review Procedure (ED-SOP-098) to ensure it is achieving its stated aim and that learners are successful in attaining the specified learning outcomes. Collaborative Provision Procedure (RCPI-SOP-096) outlines in detail how RCPIs clarifies roles and responsibilities for each provider, for example, how RCPI ensures that Teaching Faculty staff have the appropriate qualifications and are at the level we would expect, were RCPI to deliver the programme.

The performance of collaborative programme will be monitored jointly on an annual basis through various mechanisms, such as:

- Quantitative data relating to learner recruitment and performance
- Learner feedback, including in relation to teaching, learning and assessment
- Feedback from partner provider
- Any operational issues which arose
- Feedback from RCPI academic administrative staff and external examiners, if relevant
- Annual programme monitoring
- Risk register review; and
- At all times in accordance with Programme, Monitoring and Review Policy (ED-Pol-097)

RCPI undergoes self-reflection of performance and considers the outcome of the annual monitoring report to address issues of concern and close the loop on learner feedback.

RCPI will undertake a periodic review (every 5 years) of collaborative programme arrangements, at both institutional and programme level. Periodic review provides an opportunity to reflect on the continuing appropriateness of the programme, its learning outcomes, its viability, the learner experience, roles, and responsibilities and on the effectiveness of quality assurance arrangements and adherence to Agreement terms. Any issues of concern raised during the annual monitoring process should also be included in the periodic review. Those involved in carrying out the periodic review (the Review Panel) should not be involved in the development and/or delivery of the programme under review. The panel should consist of both internal and external members.

As part of the periodic review, the Review Panel will conduct a site visit to the partner institution to meet with relevant academic and administrative staff, as well as management, and review the appropriateness of Learner Resources and Supports, such as IT infrastructure, library, learner supports as well as those available for teaching faculty.

A self-assessment report will be prepared further to this site visit and should include quantitative data related to trends in learner recruitment and performance, programme structure and delivery, assessment framework, pedagogical approaches, and future planned developments. The periodic review process should also be informed by any external reviews and QQI reports, if relevant. The Review Panel finalise the self-assessment report and make a recommendation as to whether the programme can be renewed, for what period and any conditions apply.

The Programme Board will review the report from to address the recommendation of the Review Panel e.g., renewal of the programme or modification to the programme. Any areas for improvement should be addressed through an action plan monitored by the Programme Board. Any modifications to the programme will require approval from the Academic Board.

The periodic review of a Consortium Agreement should commence one year in advance of the term of that agreement.

RCPI or the partner provider may decide to cease the relationship for reasons, including the following:

- the suspension of payments, a moratorium of any indebtedness, bankruptcy, winding-up, dissolution, administration, court protection, examination, or voluntary arrangement
- the appointment of a liquidator

- the appointment of an administrator, receiver, or examiner
- if the partner provider ceases to carry out its business

If such serious issues arise that the relationship needs to cease, arrangements are in place to safeguard RCPI and most importantly, the learners. Protection of Enrolled Learners Policy applies to collaborative provision programmes as with other education programmes provided by RCPI. The following points are considered as part of contingency planning to facilitate, where possible, the ongoing operation of the programme by RCPI:

- Detailed documentation of systems and processes underpinning delivery
- Access to learner and faculty information
- Access to the online learning environment

6 References

Quality Qualifications Ireland (2016) Core Statutory Quality Assurance Guidelines

<https://www.qqi.ie/Downloads/Core%20Statutory%20Quality%20Assurance%20Guidelines.pdf>

Policy for Collaborative Programmes, Transnational Programmes and Joint Awards (Revised 2012)

<https://www.qqi.ie/Publications/Publications/Policy%20for%20Collaborative%20Programmes%20Transnational%20Programmes%20and%20Joint%20Awards.pdf>

Core QA Guidelines and Guidelines for Independent and Private Providers

<https://www.qqi.ie/Downloads/Sector%20Specific%20Quality%20Assurance%20Guidelines%20V2.pdf>

Quality Qualifications Ireland (2015) Policy & Criteria for Access, Transfer & Progression in Relation to Learners for Providers of Further & Higher Education & Training

<https://www.qqi.ie/Downloads/ATP%20Policy%20Restatement%20FINAL%202018.pdf>

Quality Qualifications Ireland (2015) Code of Practice for Provision of Programmes of Education and Training to International Learners

<https://www.qqi.ie/Downloads/Code%20of%20Practice.pdf>