Submission to Quality and Qualifications Ireland (QQI) on the Implementation of the International Education Mark (IEM)

December 2022

About the Irish Council for International Students (ICOS)

This submission is made on behalf of the Irish Council for International Students (ICOS). ICOS is an independent advocacy organisation whose mission is to protect and enhance the rights of international students in Ireland while championing their contribution in the places they study and in the communities in which they live.

ICOS has 26 institutional members, including all of the universities in the Republic of Ireland, and many of the Institutes of Technology and independent third level colleges. Our membership also includes the Union of Students in Ireland (USI). ICOS' values include: consultation, collaboration, learning, and accountability, and our goals are to influence policy and standards in international education; build the capacity of our members; empower international students to pursue their rights; and support and showcase the important contribution of international education to international development.

1. Introduction

ICOS welcomes the opportunity to make a submission to Quality and Qualifications Ireland's (QQI) public consultation on the implementation of the International Education Mark (IEM). The long-awaited IEM represents a genuine opportunity for robust quality assurances to be at the forefront of the entire Irish education sector. ICOS hopes that the IEM will go towards enhancing Ireland's reputation as an in international study destination, help develop global Irish citizens, and ensure that international students have a quality education experience in Ireland.

2. Authorisation of the IEM

The IEM proposes to strengthen QQI's role as a regulator of quality in both the higher education and English language sector. ICOS welcomes the quality assurance mechanisms that QQI plans to introduce in relation to governance, finance, and compliance. In particular, we are pleased to see the roll out of the mandatory protection of enrolled learners (PEL) fund. It is also positive that QQI will have the flexibility to modify the IEM codes as it sees fit. ICOS is encouraged to see that the experience of learners is central to the IEM, and an emphasis is being placed on student welfare. A holistic approach to quality assurances is critical to ensuring that international students have a quality education in Ireland, and QQI's vision for the IEM certainly is in keeping with this. From the perspective of education providers, the IEM will no doubt offer an opportunity to enhance their quality assurances, increase student numbers, and boost their reputation globally. Notwithstanding, ICOS has several concerns relating to the regulatory framework and systems to oversee, investigate, and enforce compliance of the IEM. From an international student perspective, this is of considerable importance as it can be difficult for students to assert their rights. For example, at present, there is a lack of effective recourse available to English language students who are unhappy with their education provider. ICOS believes that monitoring and enforcement is crucial to protecting the integrity of the English language and higher education sectors.

3. English Language Education (ELE) Providers

Over a decade has passed since the Qualifications and Quality Assurance (Education and Training) Act 2012 was enacted. During this time, almost twenty private colleges and language schools ceased operating leaving thousands of international students displaced, distressed and facing the loss of their course fees. The majority of these closures took place between 2014-2015, but some also occurred afterwards. ICOS took a leading role assisting affected students, both on-the-ground and online, to support and advise learners around liquidation and legal processes, alternate provision, and immigration matters. The tightening of regulations, combined with the amendment of the 2012 Act in 2019, which includes among its statutory provisions the implementation of the IEM, has meant that closures are now less likely to occur. Nonetheless, there remain legitimate concerns over some of the dubious practices that continue to be practised by a minority of English language schools.

3.1 Statutory Quality Assurance Guidelines for ELE Providers

The introduction of statutory quality policies and procedures for ELE Providers is a positive step towards achieving quality standards across the English language sector in Ireland. Similarly, aligning English language education with the Common European Framework of Reference for Languages (CEFR) will streamline schools' curricula. However, ICOS is concerned that the self-assessment monitoring and evaluating of quality assurance functions alone will be insufficient to ensure compliance among all English language providers. A robust external inspection and monitoring system would complement internal quality assurance procedures and ensure that school's policies are reasonable, appropriate, and in keeping with the IEM.

3.2 Code of Practice for ELE

ICOS welcomes the development of an ELE Code of practice to be complied with by providers seeking to use the IEM. It is hoped that the Code will provide a base from which English language schools will be able to develop comprehensive policies in the provision of programmes to international learners. ICOS notes that the ELE Code contains high-level principles, including the ethical recruitment of international students, which providers are expected to comply with. The establishment of a protection of enrolled learners (PEL) scheme as an important policy to safeguard students' tuition fees. In addition, providers are required to have transparent complaints procedures in place, as well as access to an independent grievance procedure to handle disputes that cannot be resolved internally. These measures will likely have many benefits for international students who pursue studies in Ireland.

There are, however, several aspects of the ELE Code which ICOS views as less favourable to learners. For example, increasing the class size ratio from a maximum of 15 students to 18 students per teacher could arguably contribute to reducing the quality of learners' academic experience. Section 8.3 should provide clarity on the policies that directly impact on non-EEA students to ensure consistency across the ELE sector. ICOS notes that similar to the proposed Quality Assurance Guidelines for ELE providers, there is a distinct absence of external oversight to monitor, investigate, and enforce compliance with the Code. It is also unclear how an independent and consistent standard of external complaints procedure can be

established if every school is responsible for organising this themselves. Evidence from ICOS' monitoring for compliance of the Interim List of Eligible Programmes (ILEP) would suggest that without external oversight from QQI, or another independent external party, some schools will not abide by the Code.

Examples of breaches of the ILEP / poor practices that have been reported to ICOS in 2022:

- Unfair or harsh expulsions (students not given benefit of the doubt)
- Questionable or non-transparent attendance practices
- Poor internal complaints procedures
- Poor communication to learners
- Delaying course start date

ICOS recognises that significantly more resources would be required in order to effectively carry out inspections of providers. However, for the IEM to have the best possible impact on the English language sector and deliver in the best interest of international learners, it must be underpinned by a robust oversight and inspections.

4. Code of Conduct for Higher Education Providers

The higher education (HE) sector in Ireland has had a well-established quality assurance mechanism in place for many years, and Irish higher education institutions (HEI) have built up a strong reputation internationally. The roll out of the IEM and inclusion of a Code of Conduct for Higher Education Providers will help the HE sector to build upon the already high standards set. ICOS welcomes all of the proposed guiding principles for each of the key categories of the HE Code. It is particularly positive to see that fostering a sense of community is among one of these key principles.

Section 5.4.1 of the HE Code outlines the need for HE providers to have appropriate personnel to respond to the pastoral needs of international learners. Diversity should form part of higher education providers' pastoral care in order to cater for cultural and language needs of a growingly diverse student population. International student representation in higher education is also equally important to promoting diversity and ensuring that international learners' voices are heard.

5. Conclusion & Recommendations

ICOS acknowledge the significant work that QQI has done to produce a comprehensive and coherent set of codes of practice for the ELE and HE sectors. The success of the IEM, and Ireland's international reputation, will rest on education providers abiding by these codes. Nonetheless, a crucial aspect currently absent from QQI's proposal is an external monitoring and enforcement mechanism to hold providers who breach the IEM to account. This is a critical moment for robust quality assurances to be at the forefront of the entire Irish education sector. It is ICOS' view that without an inspection scheme that is driven by QQI, or another independent body, the success of the IEM could be placed in jeopardy.

ICOS recommends the following:

- Establish an Ombudsman to carry out inspections of education providers and oversee compliance of the IEM;
- Engage with international student learners to capture the international student voice in order to enhance the IEM;
- Maintain the maximum number of students per class at 15 for ELE studies;
- Public information on the IEM should be comprehensively articulated and adequately resourced. International students need to understand what the IEM means in the context of Ireland's overall qualifications and quality framework;
- The IEM should align with and support the new International Education Strategy;
- The role of the Department of Justice and requirements for non-EEA students needs to be clarified.

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