



Collaborative Provision Policy

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kcetb

Bord Oideachais agus Oiliúna
Chill Chainnigh agus Cheatharlach
*Kilkenny and Carlow
Education and Training Board*

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Glossary of Terms

First Provider	This is the provider that has the validated programme and who is responsible for its Quality Assurance
Other Awarding Bodies	Certification received from an awarding body other than QQI
Other Parties	Refers to second providers and other awarding bodies
Partner	Any legal entity whom KCETB works with to jointly provide a programme of education and training. The term partner does not imply an employer relationship.
QQI	Quality and Qualifications Ireland

1. Introduction

Kilkenny and Carlow Education and Training Board (KCETB) has strategic goals that highlight employment outcomes, progression from FET to HE, facilitate inclusion, lifelong learning and targeting key skills. Kilkenny and Carlow Education and Training Board (KCETB) engage with other parties to ensure the needs of learners and local employers are met in the context of these goals. This policy supports these goals by setting out how the ETB will engage and collaborate with its partners with regard to delivery and assessment of provision.

Collaborative provision is the term used to describe the relationship between the ETB and the other party. For the purpose of this policy, collaborative provision means two or more providers are involved by formal agreement in the delivery and assessment of a programme¹.

Reasons for collaborative provision may include:

- to access expertise not currently available in the ETB,
- to access specialist plant, technical resources, or facilities provided by a contractor or second provider,
- to pilot new courses without accumulating long term commitments in terms of staff and resources.

This basis for this policy arises from QQI's requirement to have documented quality assurance arrangements for the relationship with other parties as outlined in sections 10.1 and 10.2 of the [Statutory Core Guidelines for Quality Assurance \(2016\)](#).

KCETB acknowledges that there may be existing frameworks in place and the requirements in these frameworks will continue to be complied with. This policy is not intended to replace any existing frameworks but seeks to encompass these frameworks within KCETB's Governance structure.

2. Policy Statement

Collaborative arrangements provide opportunities but also may carry risks and it is necessary to assess the risks involved and manage the process appropriately to ensure compliance with governance processes. In line with [QQI's Statutory Quality Assurance Guidelines for Education and Training Boards](#), (2017:p.8), KCETB will ensure that *“collaborative arrangements with other providers and partners are approved and the effectiveness of those arrangements monitored*

¹ QQI (2012). Policy for Collaborative Programmes, Transnational Programmes and Joint Awards.
<https://www.qqi.ie/Publications/>

and reviewed”². Collaborative agreements with other parties will be entered into on a case-by-case basis and only if the relationship aligns to the ETB’s strategic goals and does not present a risk to learners, staff or the reputation or operations of the ETB.

The purpose of this policy is to inform staff and stakeholders about the ETB’s process for:

- Evaluating proposals from prospective partners,
- Developing collaborations, and
- Monitoring collaborations
- the delivery and assessment of programmes of further education and training to ensure that consistency, transparency, and good practice is achieved.

3. Scope of Policy

Collaborative provision incorporates a diverse range of potential partnerships. The scope of this policy applies to all staff engaged in developing and providing collaborative programmes which lead to the making of awards or qualifications. Collaboration with expert panellists, examiners and Authenticators is not covered under the scope of this policy.

The scope of this policy includes the following collaborative arrangements:

1. 2nd party provider

Where a 2nd party is engaged by KCETB to deliver programmes of education and training and carry out relevant assessments. This delivery is under the quality assurance governance and oversight of the first provider (i.e., KCETB). Examples of these arrangements include:

- Multi-Supplier Framework for Contracted Training
- Training Services Second Provider Community Provision (e.g., Specialised Training Provision, and/or Community Training Centres)
- Other Community providers (e.g., Community Schools/Resource Centres)

2. 2nd party provider outside of the Multi-Supplier Framework

Where a 2nd party is engaged by KCETB to deliver programmes of education and training and carry out relevant assessments. This delivery may be conducted using the 2nd providers own validated programme but will operate under the overarching quality assurance governance and oversight of the first provider (i.e., KCETB). Examples of these arrangements include:

² <https://www.qqi.ie/sites/default/files/2021-11/qg-7-sector-specific-qa-guidelines-for-etbs.pdf>

- Suppliers contracted outside of the Multi-Supplier Framework

3. Subcontracting by a 2nd party provider

There may be arrangements whereby the 2nd provider engages a 3rd party to deliver programmes of education and training. Where a 3rd party is engaged by a 2nd party provider to either deliver training and/ or carry relevant assessments on behalf of the first provider (i.e., KCETB) this delivery is under the quality assurance of the 3rd party provider. The 3rd party must also comply with the overarching Quality Assurance arrangements of the second provider (i.e., Multi-Supplier Framework Contracted Training provider) which align to the first provider (i.e., KCETB) QA arrangements.

Examples of these arrangements include:

- Engagement by ETB with a Multi-Supplier Framework Contracted Training provider who sub-contracts to another provider for the provision of training and or/ carrying out assessment.
- Engagement by ETB second provider centre with private training provider e.g., Manual Handling or first aid courses

4. Certification by Other Awarding Bodies

Where KCETB has arrangements with other awarding bodies to enable them to achieve the certification which that awarding body provides. Examples of these other awarding bodies may include:

<ul style="list-style-type: none"> • Professional/Industry recognition e.g., National Governing bodies for sports • City and Guilds • CIBTAC • ITEC • Pearsons 	<ul style="list-style-type: none"> • MOS • ILM • ICDL • PHEC/ FAR • CIDESCO • British Horse Society
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**Note that this list is current at the time of writing and may expand*

5. Any other collaborations that involve the sharing of resources, quality assurance arrangements and/or core services that provide opportunities for learners.

Where KCETB develop arrangements with other institutions for the delivery, assessment, and authentication of learners. Examples of these arrangements include:

- Provision entered into with a Co-ordinating provider e.g., SOLAS or other

ETB's.

- Collaborations with Higher Education

4. Responsibilities for implementation

Responsibilities for implementation of this policy and procedure are as follows: **(REVISED AS PER ETB REQUIREMENTS)**

- All staff who are involved in developing and assessing proposals from potential partners have responsibility for articulating how the proposal aligns with strategy and will conduct initial and final due diligence evaluation work in advance of the creation of a legal agreement.
- In instances where there are agreed national frameworks in place, it is understood that due diligence has been completed at tendering stage.
- Staff responsible for ongoing monitoring arrangements must ensure ongoing effectiveness of collaborative arrangements in line with the requirements of the relevant awarding body or MOU/SLA in place. Monitoring should consider the general operation of the partnership, including the operation of regulations and procedures, the monitoring and development of agreed programmes, the assessment of learners and the enhancement of quality and standards. They must provide feedback and agreed reports to the relevant ETB department, as appropriate, and to escalate risks before renewal of existing agreements.
- Responsibility for academic due diligence lies with the Quality Assurance Department and the relevant Authorised Officer while financial and legal due diligence lies with Chief Executive and DFET.
- The DFET and the ETB's Executive Management Team has executive responsibility for ensuring that collaborative provision contributes to the strategic direction of the ETB and all such arrangements pose no threat to academic and corporate matters of the ETB. They authorise the development and closure of all partnership arrangements.
- The Quality Assurance Oversight Committee (QAOC) is responsible for recommending proposed partnerships to the Executive in line with the Programme Approval Process as relevant.
- The CE has delegated authority to the FET Director is responsible for overall management and oversight of quality assurance implementation for collaborative arrangements.
- The FET QA Office plays a role in ensuring the policy is up to date with current regulations and standards.
- The ETB's corporate/legal office plays a role in ensuring all documented agreements entered into are compliant with relevant regulations and standards.

- The ETB staff members responsible for implementing collaborative arrangements are responsible for ensuring the effectiveness of this policy.

5. Other Relevant Policies and Procedures

- KCETB Assessment Policy
- KCETB Blended Learning Policy
- KCETB Data Protection Policy
- Governance and Management of FET Quality
- Self-evaluation, monitoring and review policy and procedure.
- Framework for Contracted Training
- Procurement and Tendering requirements.

6. Indicative Areas for Entering into Partnerships

In considering a collaboration with other parties, KCETB is required to have effective quality assurance procedures and will consider the following indicative areas to decide whether to enter into a partnership. These areas indicate the broad due diligence and risk assessments that should be carried out to determine the capacity of the partner to adequately provide programmes and assessment.

1. Partner's legal, reputation and compliance standing.
2. Partner's resource, governance, and structural arrangements
3. Partner's programme development and provision capacity

Further information on due diligence is outlined in section 7.1 below.

In instances where there are agreed national frameworks are in place, it is understood that due diligence has completed at tendering stage.

7. Process for Developing and Progressing Collaborative Partnerships

7.1 Identification of, and Preliminary Research on Prospective Partners

The ETB should have full knowledge of, and conduct a risk assessment about, any potential partnerships before deciding about entering the partnership. The ETB will not engage in any

arrangements that may jeopardise quality education in the appropriate learning environment or where there is a risk of learners not being able to achieve the award or qualification.

KCETB will ensure that staff involved in conducting initial research and due diligence checks are competent to carry out this work.

The purpose of due diligence is to identify the factors that may place the provider at risk, legally or reputationally, and to anticipate future developments which could jeopardise academic standards, the quality of learners' learning experience and/or the viability of an award or a partnership. Due diligence processes provide the opportunity for reasonable care and caution to be exercised to mitigate corporate risk and ensure that learners' interests are protected.

The extent of due diligence will vary depending on the level of responsibility delegated to a partner. The Due Diligence Evaluation Guidance template (Appendix A) provides guidance on the areas that may be considered when conducting due diligence.

7.2 Type of Agreement

The ETB can use different types of agreements to formalise arrangements and expectations between the partners. These include, but are not limited to:

- Letter of Intent (LoI)³
- Memorandum of Understanding (MOU)⁴
- Memorandum of Agreement (MOA)⁵
- Service Level Agreement (SLA)
- Other frameworks agreements e.g., Multi Supplier Framework (MSF), Services contract etc.

The agreements should be appropriate to the type of arrangement being proposed. Agreements will include comprehensive statements of the rights and responsibilities of the different parties to assure a shared understanding of how the partnership will operate.

³ The signing of a LoI indicates intent of signing partners to investigate further future areas for collaborations and often comes before the signing of an MOU.

⁴ An agreement between two or more partners that outlines the broad parameters of the proposed collaboration between the parties. It's a statement of intent and there is an expectation that it will lead to the collaborative activity envisaged. However, there is no legal commitment. An MOU provides a framework for cooperation and authorisation to proceed with the due diligence and risk assessment evaluation as a basis for entering into a formal agreement.

⁵ An MOA is an agreement between two or more parties which articulates plans and associated arrangements to work together cooperatively on particular projects, programmes or in pursuit of other agreed aims and objectives. The MOA is considered to be a legally binding agreement.

Partnership agreements will need to consider all relevant requirements and, where relevant, other jurisdictions and will also include learner protection and termination clauses.

7.3 Approval Pathway and Governance

There are two phases to the process of establishing and approving a collaborative partnership:

- Initial consideration and initial approval
and
- Due diligence and evaluation and ultimate approval

7.3.1 *Initial consideration and initial approval*

Proposals for establishing a collaborative partnership can come from a number of channels within the ETB. Proposal should have the initial endorsement from relevant manager before submitting for initial approval from the DFET.

7.3.2 *Due diligence and evaluation and ultimate approval*

Once the proposal is agreed, the proposal is referred to the DFET, who considers the proposal and determines if the proposal is valid and should continue.

Due diligence and evaluation is the undertaking of enquiries about the prospective collaborative arrangement to inform the ultimate decision about whether to proceed with the proposed partnership⁶. Appropriate due diligence procedures are determined for each proposal. (See a sample of Due Diligence Evaluation in Appendix A). The due diligence findings are presented to the xxx for formal consideration and approval.

Ultimate approval – the Director of Further Education and Training, oversees the due diligence process and ensures that the proposed partnerships aligns with the strategic priorities and is considered satisfactory in terms of oversight of the academic, legal and governance status of the partner.

The development and approval timeline depends on the complexity of the arrangement being proposed e.g., new programme, new jurisdiction, new delivery mode, multiple partners etc.

⁶ In instances where there are agreed national frameworks are in place, it is understood that due diligence has completed at tendering stage.

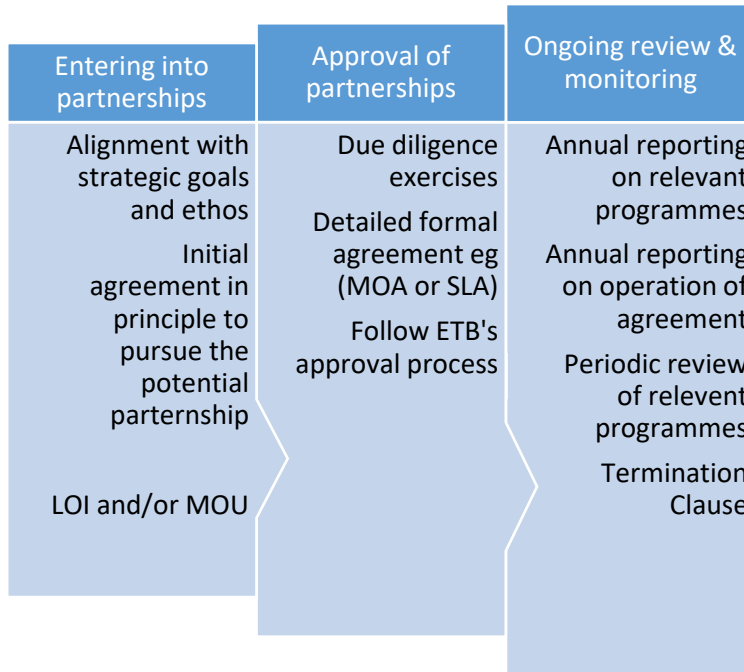


Figure 1: Overview of Collaborative Provision Arrangements

Decisions are made regarding the appropriateness of collaboration being entered into at the highest level of ETB governance.

7.4 Review mechanisms

The process for the monitoring and review of the effectiveness of the collaboration will be agreed in advance of signing of the agreement. Procedures must be put in place to monitor and review the effectiveness of those arrangements. Any review agreed with a collaborating body, must be periodic, two-way, have agreed metrics and there should be a facility to schedule a review where there is a doubt or concern regarding the quality of the arrangement.

7.5 Authorised signatures

Agreements from other parties need to be signed by authorised personnel only. The authorised signatory from the ETB will be determined in accordance with the ETB's governance structures.

7.6 Publication of Collaborations

Appropriate collaborative information and arrangements will be published on the ETB's website to ensure transparency for learners and stakeholders.

7.7 Storage of Agreements

The ETB's Quality Assurance Office maintains a central repository of any agreements related to collaborative partnerships and provision.

8. Communication and Information to learners

In line with awarding body requirements all information relevant to the programme and award are made available to prospective learners in a transparent manner. Upon commencement of the programme learners should be made aware that the programme is being delivered by another provider. In addition the arrangements for the monitoring and review of the programme should be clearly communicated to the learner.

9. Internal Monitoring and Review of this policy

A fundamental requirement of KCETB's quality assurance involves the monitoring and review of its the quality assurance policies and procedures to ensure they remain relevant and current.

The QA Office is responsible for the systematic review process and are supported by the relevant governance groups and informed by stakeholder feedback.

The review schedule is shown on the table on page 2.

10. Monitoring Evidence of implementation of this policy

This policy will achieve its intended outcomes through implementation of the procedures which are embedded in local provision and practice.

Examples of evidence to confirm implementation, therefore, may include:

- Evidence of providers: legal compliance, financial standing, staff resources, sufficient infrastructure and learning environment, Quality Assurance procedures
- Due diligence checklist
- Legal Agreements in place e.g., SLA/MOU
- Records of monitoring of agreements
- Records of monitoring of the provider
- Records of communications

11. Monitoring of Effectiveness of this policy

The following are considered when evaluating the effective implementation of this policy:

- reviewing resources, staffing, infrastructure, and administrative systems
- communication and information processes and methods, and feedback loops
- evaluating stakeholder feedback mechanisms
- assessing staff support and development mechanisms
- evaluating the roles and responsibilities of those involved in the implementation of procedures.
- evaluating indicators, benchmarks, metrics, and review tools used measure performance and progress.

12. Appendix A: Due Diligence Evaluation Guidance Sample

The following provides guidance on due diligence checks that may be carried out.

Legal Requirements

- The legal requirements in the partner jurisdiction are known and capable of being adhered to e.g., compliance with national legislation relating to education or other domain, e.g., tax compliance, appropriate human resources policies and procedures, company registration etc.
- Agreeing the jurisdiction where the agreement is to be enacted; arrangements for the settlement of disputes, mediation, and sharing of liabilities are defined.
- The signee has the authority to sign.
- That the partner is in good standing in their own jurisdiction - e.g., compliant with national education legislation or other domain, e.g., tax compliant, quality assurance, appropriate human resources policies and procedures.
- Where relevant, the potential joint awarding partner has the authority to make awards.

Financial Standing

- That the proposed programme can be funded in a secure way and that the partner institution is adequately resourced to undertake and complete the programme proposed.
- That there is clarity on financial matters such as sharing of costs and income and payment of taxation,
- That there are appropriate transfer or plans in place to protect learners if it is not possible to complete the provision of a programme after it has commenced
- That the physical and electronic infrastructure can be provided on a stable basis
- That any financial plans are based on realistic projections of learner numbers and other variables
- That the administrative infrastructure can provide timely reports/information to KCETB, regulatory bodies and other stakeholders including other awarding bodies.

Staff Resources

- the partners have the competence and capacity to fulfil the roles assigned to them in a sustainable way.
- partner staff are appropriately qualified and experienced.
- the partners have effective procedures for staff recruitment, management, and development.

Infrastructure and Learning Environment

- the partner has the human resource capacity to allocate staff on an appropriate basis for the management and delivery of the proposed programmes.
- there will be formal recognition of awards. It is important that other awards or accreditation offered through the partners are recognised by reputable bodies and hold currency in the relevant jurisdictions of agreement implementation.
- the pedagogic style of the partners incorporates good practice, including robust academic practice.
- the proposed environment will promote learning, support, and learner well-being.
- the proposed education and training facilities are appropriate and in line with any regulatory or professional requirements.
- the proposed education and training infrastructure has effective procedures for e-learning or blended learning, where applicable
- the partner has described, listed, and can provide proofs all formal collaborations (existing and previous) with other education and training providers or other organisations.
- In instances where learners are not registered as KCETB learners, support services provided must be of a comparable basis to those available to learners of KCETB.

Quality Assurance Procedures

- the partner has robust quality assurance and quality enhancement policies, procedures and practices that meet National and European standards for internal quality assurance and align to the ETB's own quality policy and framework for provision directly.
- the partner is in good standing with any relevant national agencies or requires national 'permission' to engage in the provision envisaged.
- all matters pertaining to professional regulation, statutory or otherwise, have been considered and how they will impact on any collaborative programme.
- the proposed programme will be recognised in the jurisdiction in which it is proposed to offer it.
- any proposed agreement is consistent with relevant European/Irish practice.
- how the proposed collaboration ensures timely and accurate information to learners, including marketing material.
- how the proposed collaboration will ensure learner voice, feedback and experience is considered.
- How the proposed programme will be internally monitored and reviewed.

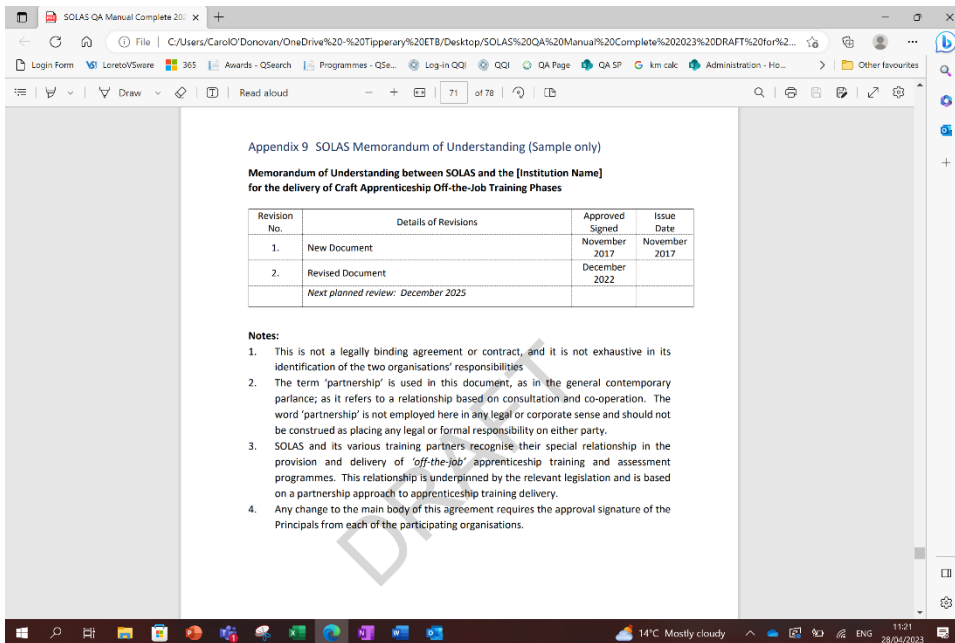
13. Appendix B: Sample Agreements Content

An MoU

A MoU should:

- outline the broad nature and purposes of the proposed collaboration.
- declare any legal or other constraints on the collaborative activity that may be engaged in by the partners.
- outline the relationship between the parties and any relevant awarding bodies quality assurance agencies, government Ministries, and/or other regulatory agencies.
- specify any statutory, regulatory and/or professional body recognition and approval that may be necessary and/or desirable for the proposed collaborative provision.
- specify the duration of the MoU.
- specify the period of notice required for termination of involvement by any one of the parties (taken from GMIT [collaborations-provision-incl-transational-collaborative-provisions-2019.pdf \(gmit.ie\)](https://www.gmit.ie/collaborations-provision-incl-transational-collaborative-provisions-2019.pdf)).

Notes: A MOU sample is shown in SOLAS's QA Handbook p.72. Will we include a template??



Appendix 9 SOLAS Memorandum of Understanding (Sample only)

Memorandum of Understanding between SOLAS and the [Institution Name] for the delivery of Craft Apprenticeship Off-the-Job Training Phases

Revision No.	Details of Revisions	Approved Signed	Issue Date
1.	New Document	November 2017	November 2017
2.	Revised Document	December 2022	
	Next planned review: December 2025		

Notes:

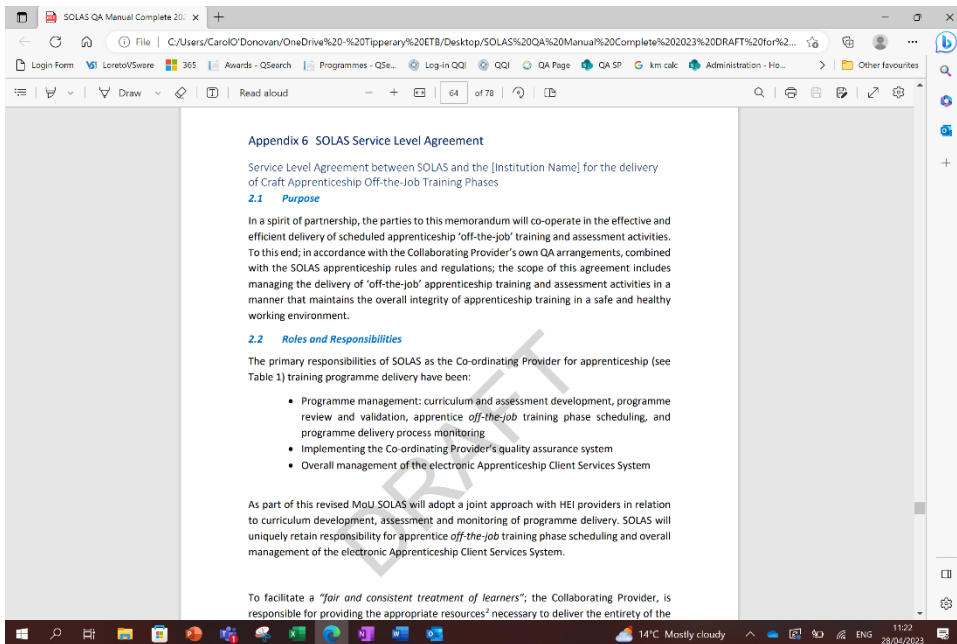
1. This is not a legally binding agreement or contract, and it is not exhaustive in its identification of the two organisations' responsibilities.
2. The term 'partnership' is used in this document, as in the general contemporary parlance; as it refers to a relationship based on consultation and co-operation. The word 'partnership' is not employed here in any legal or corporate sense and should not be construed as placing any legal or formal responsibility on either party.
3. SOLAS and its various training partners recognise their special relationship in the provision and delivery of 'off-the-job' apprenticeship training and assessment programmes. This relationship is underpinned by the relevant legislation and is based on a partnership approach to apprenticeship training delivery.
4. Any change to the main body of this agreement requires the approval signature of the Principals from each of the participating organisations.

An SLA

An SLA should:

- outline xx
- xxx
- xxx etc

Notes: Solas QA Handbook for apprentices Feb 2023, page 64: can be useful here



An MOA

A MOA should:

- outline xx
- xxx
- xxx etc