



QAA



QQI

Quality and Qualifications Ireland
Dearbhú Cáilíochta agus Cáilíochtaí Éireann

Information sharing agreement between

**the Quality Assurance Agency for Higher education
United Kingdom
and
Quality and Qualifications Ireland, Dublin,
Ireland**

Introduction

1 This document sets out (a) the principles that will underlie a specific information sharing agreement (ISA) between the Quality Assurance Agency for Higher Education (QAA) and Quality and Qualifications Ireland (QQI) (the parties) and (b) underpins the Memorandum of Understanding between the parties dated 17 December 2018.

2 The ISA is intended to support an effective and specific information sharing arrangement between the parties. It is not intended to cover every detailed aspect of the relationship or other information sharing between them.

3 It is a statement regarding the sharing of specific information between the parties to ensure appropriate arrangements are in place to enable them to discharge their respective responsibilities effectively.

4 This document sets out the principles governing the implementation of the ISA. Issues arising from the exchange of information under this agreement should be dealt with in accordance with the Memorandum of Understanding referred to at 1(b) above.

5 This ISA aims to:

- set out the principles and operations of information sharing
- identify the basis for sharing the information
- outline what information will be shared
- explain the purpose for sharing this information
- detail how the information will be stored and recorded
- define the limits to the information sharing.

6 This ISA is not legally binding. It will serve as a working document that will be subject to review in the light of operational practice.

Partner roles and responsibilities

7 QAA is the Independent quality body for UK higher education with the mission to safeguard standards and improve the quality of UK higher education wherever it is delivered around the world. QAA carries out external quality assurance by visiting and monitoring universities and colleges to review how they are fulfilling their responsibilities. To support standards and promote quality enhancement QAA publishes a range of reference points, including the UK Quality Code for Higher Education, which sets out the expectations and practices that all providers of UK higher education are required to meet in setting the standards of their awards, and for managing the quality of their provision, as well as a range of guidance, analysis and insights. QAA is funded by subscriptions from universities and colleges, and through contracts with the higher education funding and regulatory bodies in the UK.

8 Quality and Qualifications Ireland (QQI) is responsible for the external quality assurance of institutions and providers in both higher and further education and training in Ireland operating within the National Framework of Qualifications (NFQ). It is also the custodian of the NFQ and makes and certifies awards. In addition, QQI is responsible for developing an International Education Mark for education and training programmes delivered to international students and establishing a database of programme and qualifications.

9 Whilst respecting the distinctive roles and responsibilities of both parties within their jurisdictions, as outlined in the memorandum of understanding, there are a number of areas of shared interest in the context of the roles of both agencies in reviewing higher education where information sharing will be to the benefit of both parties and, in particular, to QQI's role in recognising awards through the National Framework of Qualifications (NFQ), establishing and implementing the International Education Mark (IEM), and continuing to administer the Interim List of Eligible Programmes (ILEP) on behalf of the Department of Justice and Equality and the Department of Education and Skills.

10 For the purpose of this ISA, this includes:

- the exchange of information between the parties regarding UK universities working with private and other providers in Ireland
- the exchange of information between the parties regarding Irish universities working with private and other providers in the UK
- establishing a formal mechanism whereby the good standing of a given university/provider with their home agency can be efficiently ascertained by partner agency, including the exchange of information between parties on the standing of these providers.

11 Where appropriate, the parties will inform one another as soon as practicable on relevant developments in relation to the specific information shared and any

subsequent actions where possible, prior to release of any reports, press releases or speeches.

12 Each party will endeavour to provide information in its possession that may be reasonably requested by the other, subject to necessary confidentiality constraints and safeguards and statutory bars on disclosure. This will be in line with an agreed process for the exchange of both routine and non-routine data and information.

Purpose of this ISA

15 This ISA governs the sharing of information that arises from the review work of higher education providers by QAA and QQI.

16 The purpose of this ISA is to:

- enable QAA to effectively safeguard the public interest in sound standards of UK higher education qualifications
- enable QQI to effectively fulfil and conduct its regulatory duties in line with the statutory and regulatory framework established by the Qualifications and Quality Assurance (Education and Training) Act 2012.

17 The purpose of this ISA is to enable both parties to pass on relevant information about higher education providers and awarding organisations that it considers will be of use to the other party in fulfilling their responsibilities.

18 This ISA will assist QAA in its strategic aim of protecting the reputation of UK higher education and aiding the recognition of UK providers operating in Ireland.

19 This ISA will assist QQI in its vision of ensuring extensive high-quality education and training opportunities for learners in Ireland and supporting its work regarding collaborative provision.

20 The areas of information exchange are likely to include:

- information regarding fraudulent awarding bodies or accrediting agencies operating in either country which may adversely affect the reputation of higher education awards and institutions in either or both countries including those associated with TNE abroad.
- information regarding the misuse of either agency's quality marks and logos
- information from QAA relevant to standards and confidence in qualification that are regulated by QQI, or qualifications offered by the awarding organisations that QQI regulates
- information that QQI has that will assist a QAA review team in undertaking its work in relation to the review of higher education providers.
- information that QAA has that will assist a QQI review team in undertaking its work in relation to the review of higher education providers

Information sharing

21 This ISA is based on the understanding that information in respect of reviews of providers conducted by QAA will be shared between QAA and QQI, and information from QQI's review of private providers will contribute to QAA's review activities of UK degree awarding bodies.

22 Both QAA and QQI may share information exchanged under this ISA with third parties including their home providers, representative bodies and government departments and agencies as appropriate. In such circumstances, the agency receiving the information will inform their partner agency which third parties the information has been shared with. Information sharing with third parties will be done in accordance with relevant data protection laws and freedom of information laws and will be fully documented.

23 Although QAA is not covered by the Freedom of Information Act 2000, QAA is committed to meeting its standards of openness and accountability. QQI is covered by the Irish Freedom of Information Acts.

24 The type of information shared under this ISA will include, although is not limited to:

- emails and correspondence between QAA and QQI in relation to their review activities
- information extracted from emails and correspondence held by QAA from degree awarding bodies, non-degree awarding bodies and other stakeholders that fall within the scope of QAA's review activities
- summary intelligence about providers of higher education gathered from information generated as a result of quality assurance activities
- published review reports and judgements of review visits.

Process of sharing information

25 Access to the information shared with QAA by QQI under this ISA will only be granted to those who have a business need, strictly on a need to know basis. Those identified as having a business need within QAA include the Director of Reviews, the Deputy Director, the Head of Educational Oversight and Accreditation and relevant staff working on QAA's review methods as determined by the owner of the ISA at QAA. A named member of staff at QAA will be responsible for managing the system for managing information and managing permissions to access this material so that QAA complies the ISA.

26 Access to the information shared with QQI by QAA under this ISA will only be granted to those who have a business need, strictly on a need to know basis. Those identified as having a business need within QQI will include the Quality Assurance and Qualifications directorates and Stakeholder Engagement and Communications division and relevant staff working in the three sections named above as determined by the owner of the ISA at QQI. In addition, QQI will have the appropriate standing to raise 'causes for concern' with the QAA regarding UK institutions undertaking provision in Ireland.

27 Information shared will be securely stored in QQ's document management system and QAA's information management system. Access to the files shared under this ISA which are held in the partner's document management system will be by

permissions granted access only to those outlined in this agreement, unless there is a clear justification to extend or reduce access. Where this is the case, the ISA will be amended to reflect this.

Retention of information and record keeping

28 Information exchanged under this ISA will be held and disposed of in accordance with QAA's and QQI's retention schedules. For QAA this will be up to 10 years.

29 A record keeping system will be in operation to show what information has been shared, including:

- the nature of the information
- the format in which it was shared
- who shared the information
- with whom it was shared
- the date the information was shared
- the status of the information (confidential etc).

30 Information shared will be held and stored electronically. Hardcopy information shared under this ISA will be scanned and stored electronically in QQI's and QAA' document management systems as appropriate.

31 Where either party shares information under this ISA with other regulators, governments departments and/or other organisations, this will be documented in the official record keeping system.

Issues of confidentiality

32 Subject to the legislation on data protection and freedom of information in the respective countries, and other constraints (for example, commercial confidentiality, price sensitive matters) exchanges between QAA and QQ may, at times, be in confidence.

33 QAA and QQI will, in line with provisions on information provided in confidence in the freedom of information legislation in both jurisdictions, consult with the originating party concerning any requests for information we hold but did not collect and which we are aware is confidential in nature. Each party will make the other party aware of any significant disclosure it intends to make to a third party of any information it received from that other party.

Intellectual property rights

34 Any reports, notes, memoranda, records, correspondence, documents, computer and other data storage media such as disks and any other documents and material used in the ISA which has been generated, or is already owned, by either agency, shall be and/shall remain the property of that agency.

35 All copyright of written work produced through the course of the ISA shall be vested in the copyright holder.

Publication of the ISA

36 Both QAA and QQI will publish a copy of this ISA on their respective websites: www.qaa.ac.uk and www.qqi.ie

Review of the ISA

37 This ISA may be amended at any time by agreement of both parties. In addition, this ISA will be reviewed annually and updated as necessary:

- in the light of experience of its operation in practice
- any changes to the specific nature of the information sharing outlined herein
- amendments to the existing memorandum of understanding.

Signatories

We the undersigned do hereby agree to implement the provisions of this ISA.

Signed by:

For QAA:



Douglas Blackstock
Chief Executive

Date: 17 December 2018

For QQI :



Padraig Walsh
Chief Executive

Date: 17 December 2018