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## Learner Protection Policy

### 1. Policy Overview

This policy sets out how UniHaven will comply with its legal and regulatory requirements regarding the formal protection of enrolled learners (PEL). This is particularly relevant to the recruitment and teaching of international students in Ireland. This policy aims to provide sufficient assurance to students themselves, their families, Higher Education Partners (HEIs), and the national education and regulatory bodies in Ireland that the students will secure fee refunds in the unlikely event that UniHaven should be unable to continue the programme for reasons defined in the Qualifications and Quality Assurance (Education and Training) Act (2012) (the 2012 Act)<sup>1</sup>.

### 2. Policy Statement

QQI has developed and approved protocols to facilitate providers in fulfilling their legal obligations regarding PEL<sup>2</sup>. These guidelines aim to assist providers with the implementation of the approved protocols. QQI has responsibility for enforcing the legal rights afforded to learners in Ireland, especially international learners, as outlined in the 2012 Act.

PEL is a requirement for providers or programmes of three months duration or longer and where the learner has paid the programme fees to put in place arrangements to ensure that if a programme of education and training ceases prematurely, learners will be able to complete a similar programme with another provider, or have their monies refunded<sup>3</sup>. It aims to ensure that learners are furnished with adequate and accurate information about the programme on which they enrol. Providers offering awards made by QQI with PEL arrangements are also

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<sup>1</sup> Qualifications and Quality Assurance (Education and Training) Act 2012, section 65(5)

<sup>2</sup> PEL: Protection of Enrolled Learners: Protocols for Implementation of Part 6 of the Qualifications and Quality Assurance (Education and Training) Act 2012 (the 2012 Act)

<sup>3</sup> Code of Practice for Provision of Programmes of Education and Training to International Learners (2015)



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required to provide information to learners on the protections in place if the programme ceases before completion. This policy outlines the College's approach to complying with the 2012 Act in the above context. The College commits to ongoing compliance with both QQI and the Government's requirements with respect to the Protection of Enrolled Learners as relevant to students who study at the College.

### 3. Roles and Responsibilities

The implementation of this policy is overseen by the Academic Director. The CEO is ultimately accountable for ensuring that the necessary PEL arrangements are in place for the benefit of all students who study at the College and reports to the Board of Directors. and the Recruitment and Admissions Officer has responsibility for ensuring that each enrolled student has an individual learner protection policy assigned to her/him. The Academic Director under the auspices of the College Admissions Board will monitor compliance with this policy for each cohort that is admitted.

The Academic Director is responsible for ensuring that policies are developed and maintained, that they remain fit for purpose, that they remain in compliance with QQI guidelines, that they are updated as per agreed schedules and that they are being implemented as intended. In the latter context, the Academic Director will inspect a sample of policies each year to check for the correct implementation and bring the findings to AC as part of the annual QA/ QQI review and reporting process.



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#### 4. Policy

Before commencing the programme, and before accepting any payment from or on behalf of an enrolled student in respect of the programmes that they intend to study, the College will notify the enrolled student in writing of the following<sup>4</sup>:

- The name of QQI as the awarding body.
- The title of the programme and the award to which it leads. For the College, the title is the UniHaven International Foundation Pathway Programme, and the award is the Level 5 Specific Purpose Certificate in International Foundation Studies Award.
- That the award is recognised within the NFQ, and the level of that recognition within the NFQ.
- A statement of how procedures for access, transfer and progression procedures apply to the programme...see UPOL006 UniHaven Access, Transfer and Progression Policy for full details.
- College details for PEL arrangements that are in place, i.e.:
  - The fact that an individual learner protection insurance policy will be set up on students' behalf.
  - The fees are payable by the student relating to their policy.
  - What protections they will get from having this policy, i.e., that the policy will finance and underpin the College's commitment to refund to enrolled students, or to the person who paid the fees on their behalf, the monies most recently paid in respect of the programme for:
    - Tuition fees.
    - Registration fees.
    - Learner protection fees.
    - Medical insurance fees.
    - Examination fees.
    - Progression Fees.

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<sup>4</sup> Code of Practice for Provision of Programmes of Education and Training to International Learners (2015)



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- Administration fees to include fees for programme books, online resources, online study platforms and so on.

This policy will provide sufficient funds to refund the sums relevant to the fee payment types listed above. The money to refund students will come from an individual learner protection insurance policy that each student will take out at the admissions and enrolment stage. The College will have a policy schedule outlining the extent of cover for its students.

The College will notify enrolled students in writing of any change in the information notified to the learner within 14 days after becoming aware of that change as per QQI requirements<sup>5</sup>.

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<sup>5</sup> Protection of Enrolled Learners (PEL): Protocols for the Implementation of Part 6 of the 2012 Act Guidelines for Providers



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## 5. Procedures and Forms

Should any the programme cease prematurely to such an extent that students cannot complete it, the Academic Director will notify QQI that the College is implementing this procedure and will ensure that QQI has access to all and any student records, including fee payment records and assessment material (including assignment briefs and marking criteria etc.). UPOL020 UniHaven Data Protection Policy Rev 1 caters for and permits the College to share such data in these circumstances under the category of 'Legitimate Interest'. Specifically, QQI will be notified of

- The number of students involved.
- The date the programme will cease.
- The date students were notified of the need to refund fees.
- The category of fees refunded.
- The planned refund dates.
- Any additional information requested by QQI.

The Academic Director will notify all students who are enrolled on the programme in question in person if possible and explain to them why the College has no option but to discontinue the programme. S/he will also outline the process by which students will be compensated for the discontinuance of the programme by way of refund to the enrolled students, or to the person who paid the fees on their behalf, the monies most recently paid in respect of the programme for:

- Tuition fees.
- Registration fees.
- Learner protection fees.
- Medical insurance fees.
- Examination fees.
- Progression Fees.
- Administration fees to include fees for programme books, online resources, online study platforms and so on.



The CEO will act as the liaison person between the College, students/their parents or guardians and the insurance company that provides the College with the learner protection student policy to ensure that the students get the refunds they are due within 28 working days of notifying the students of the need to refund. Refunds will be processed via bank transfer or Convera/Western Union, depending on which way students had initially paid their fees, as outlined in UPOL008 UniHaven Fees and Refund Policy Rev 1.

Once the refunds have been paid, the Academic Director notifies QQI including a summary of

- The number of students involved.
- The date the programme ceased.
- The date students were notified of the need to refund fees.
- The category of fees refunded.
- The refund dates.
- Any additional information requested by QQI.

External communications explaining the reasons for programme cessation together with the QQI-agreed action plans will be publicised via UPOL026 UniHaven Communications Policy Rev 1 as directed by the Academic Director.

### **Quality Assurance Manual (QAM) Chapters 4 and 8**

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<b>References/ Supporting Documentation</b>	<p><b>UDOC000 UniHaven Quality Assurance Manual Rev 2</b></p> <p><b>Statutory Quality Assurance Guidelines developed by QQI for use by all Providers (2016)</b></p> <p><b>Statutory Quality Assurance Guidelines developed by QQI for Independent/Private Providers coming to QQI on a Voluntary Basis (2016)</b></p> <p><b>Qualifications and Quality Assurance (Education and Training) Act 2012, section 65(5)</b></p> <p><b>Protection of Enrolled Learners (PEL): Protocols for the Implementation of Part 6 of the 2012 Act</b></p> <p><b>Guidelines for Providers</b></p> <p><b>Code of Practice for Provision of Programmes of Education and Training to International Learners (2015)</b></p>