



QQI POLICY.

**Code of Practice for Provision of
Programmes of English Language
Education to International Learners**



**Dearbhú Cáilíochta
agus Cáilíochtaí Éireann**
Quality and
Qualifications Ireland

Code of Practice for Provision of Programmes of English Language Education to International Learners

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1. FOREWORD

Quality and Qualifications Ireland (QQI) was established in November 2012 by the Qualifications and Quality Assurance (Education and Training) Act 2012. The 2012 Act sets out the functions of QQI, which includes the establishment of a code of practice for the provision of programmes of education and training to international learners, and the authorisation of an international education mark (IEM).

The 2012 Act was amended by the Qualifications and Quality Assurance (Education and Training) (Amendment) Act 2019. References to the legislation hereafter will be to the 2012 Act as amended¹. The 2012 Act as amended provides that QQI shall publish a code of practice in such form and manner as it thinks appropriate, and that it may include different provisions in respect of different providers or providers of different classes.

QQI policy, which is set out in its Policy on Authorisation to Use the International Education Mark², is to establish and publish two codes of practice in respect of providers of different classes:

- one for higher education (HE) providers, and
- one for English language education (ELE) providers.

This document is the code of practice for ELE providers (the ELE Code) and sets out expectations related to education provision, including supports, available to international learners in Ireland enrolled on ELE programmes. The ELE Code supersedes QQI's *Code of Practice for Provision of Programmes of Education and Training to International Learners* (2015). The ELE Code should be read in conjunction with the following documents:

- QQI's *Statutory Quality Assurance Guidelines for English Language Education Providers*³
- QQI's *Policy on Authorisation to Use the International Education Mark*

QQI policy is developed through a consultative process. Details of QQI's consultation framework and policy development processes are available on www.qqi.ie. QQI policy is adopted by the Board and implemented by the executive accordingly.

¹ 2012 Act as amended [Revised Acts \(lawreform.ie\)](http://www.irishstatutebook.ie/eli/2012/act-1)

² [Policy on Authorisation to Use the International Education Mark](#)

³ [Statutory Quality Assurance Guidelines for English Language Education Providers](#)

2. INTRODUCTION

The ELE Code is one of a suite of measures, provided for in the 2012 Act as amended, that are designed to protect the interests of international learners engaged with the Irish education and training system.⁴ The purpose of the ELE Code is to ensure that international learners attending institutions that have demonstrated their compliance with the ELE Code, and have obtained authorisation to use the IEM, receive a high-quality and consistent learning experience.

2.1 Who is expected to comply with the ELE Code?

Compliance with the ELE Code is required of ELE providers who enrol international learners on ELE programmes for the purpose of obtaining authorisation from QQI to use the IEM. A provider's compliance with the ELE Code, and its authorised use of the IEM, will attest to the quality of the provider, the quality of its ELE programmes, and the quality of the learner experience on those programmes. In addition, through demonstrating their adherence to the standards contained within it, the ELE Code will also enable ELE providers, both individually and collectively, to play their part in upholding the reputation of Ireland for English language education as well as the integrity of provision in the ELE sector.

As well as fostering and strengthening Ireland's reputation for international education, the ELE Code and IEM will also support the promotion of ELE in Ireland to overseas students and Ireland's national language and immigration strategies.

English language learning is recognised as a dynamic and diverse area of further education which underpins access to, and successful completion of, other programmes of education leading to formal qualifications, as well as to employment opportunities.

The ELE Code recognises the role of the ELE sector in valuing and promoting international understanding, multi-culturalism, plurilingualism, equality, diversity, inclusion and integration. It supports the enhancement of the ELE experience for international learners. The ELE Code also provides a basis for the development of a comprehensive policy framework for the provision of programmes to international learners by ELE providers in Ireland. Compliance with the ELE Code should be integrated into providers' quality assurance policies and procedures. It should also contribute to institutional approaches to providing a positive learner experience from the first point of engagement through to exit.

⁴ Apart from the ELE and HE Codes and the IEM, the measures also include a due diligence assessment process for private providers (see section 4.2 and Appendix One below); a national scheme for the protection of learners enrolled on programmes delivered by private providers (PEL), underpinned by a learner protection fund (see section 4.3.1 and Appendix Two below); the inclusion in the National Framework of Qualifications of awards made by universities and other designated awarding bodies, and also by international, professional, and sectoral bodies; and measures to protect the academic integrity of the Irish education and training system.

2.2 Definition of an international learner

Categories of international learners comprehended within the scope of the ELE Code

Section 2(1) of the 2012 Act as amended defines an international learner ‘as a person who is not an Irish citizen but is lawfully in the state primarily to receive education and training’. In relation to the establishment of codes of practice for the purpose of QQI authorising providers to use the IEM, section 60(1) of the same act further defines an international learner as one who:

- is in the state enrolled on a programme leading to an award included in the National Framework of Qualifications (NFQ);
- or
- is in the state enrolled on an English language programme;
- or
- is a learner outside the state enrolled on a programme leading to an award included in the NFQ.

For the purposes of establishing this ELE Code, and QQI’s role in authorising ELE providers to use the IEM, these definitions include all categories of international learners enrolled on ELE programmes at ELE providers, as outlined below:

- non-EU/EEA/Swiss learners enrolled on ELE, foundation year and teacher training programmes of 12+ weeks’ duration;
- non-EU/EEA/Swiss learners enrolled on ELE, foundation and teacher training programmes of fewer than 12 weeks’ duration;
- EU/EEA/Swiss learners enrolled on ELE, foundation and teacher training programmes of any duration.

The definitions of international learners above do not include citizens of Great Britain and Northern Ireland. Under the Common Travel Area agreement⁵ between the governments of Ireland and the United Kingdom, Irish and British citizens are afforded the right to access all levels of education and training, and associated student support, in each other’s countries, on terms no less favourable than those for the citizens of that state.

2.3 Scope and Content of the ELE Code

In practice, the ELE Code is a set of threshold requirements, particular to the provision of ELE to international learners in Ireland, that builds upon the strengths of existing quality assurance systems and is underpinned by national strategy. In establishing these threshold requirements, the ELE Code has drawn upon national and international effective practice.

(Please see Appendix Six, Resources for ELE providers, for links to international codes of practice.)

⁵ Memorandum of Understanding between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the Common Travel Area and associated reciprocal rights and privileges: [Memorandum-of-Understanding-Ire-version.pdf \(dfa.ie\)](#).

The ELE sector is one in which providers need to maintain a flexible and agile approach to reflect and respond to continuously evolving learner needs, emerging markets and international developments. The ELE Code recognises that the needs and expectations of international learners may vary or change from pre-enrolment through to exit, and that the ELE providers themselves, through their engagement with their international learners, are best placed to accommodate those varying or changing needs during the lifecycle of the learner. It also recognises that ELE providers are best placed to judge how particular criteria within the ELE Code are applied in particular circumstances and that criteria should be applied appropriately and proportionately in different circumstances and provider contexts. Furthermore, the ELE Code recognises that there is significant diversity in institutional missions, programme and service offer and practice across ELE providers. For example, some providers focus on ELE provision for learners who are under eighteen years old, while others may not offer accommodation services. Thus, it is possible that not all the requirements of the ELE Code will necessarily be relevant to all ELE providers but will depend upon their circumstances and the range of programmes and services they offer. In evaluating their compliance with the ELE Code for the purpose of applying for authorisation to use the IEM, individual providers should carefully identify the criteria in the ELE Code that are relevant to their activities with international learners.

Providers who offer international foundation year (IFY) programmes and ELE providers who are involved in delivering components of IFY programmes should assess ELE Code requirements in line with the validation/programme approval requirements of the awarding body for that programme. In this case, providers should refer to the requirements set out in the ELE Code as appropriate to the ELE provision elements of the foundation programme.

The ELE Code acknowledges the important role that an ELE provider can play in enhancing the quality of the international learner's experience. Such an approach has the potential to support an enriched experience for all learners, staff and stakeholders associated with the ELE provider, and to assist in promoting international understanding, multi-culturalism, plurilingualism, equality, diversity, inclusion and integration, as well as a positive language learning experience.

ELE providers should also consult the *QQI Statutory Quality Assurance Guidelines for English Language Education Providers (QA Guidelines for ELE)* when preparing for their assessment of compliance with the ELE Code requirements. These guidelines supplement the ELE Code and include:

- (a) quality assurance guidelines in relation to ELE provision and academic management;
- (b) quality assurance guidelines in relation to the development of curricula, syllabuses; and course programmes/schemes of work in alignment with the Common European Framework of Reference for Languages (CEFR);
- (c) quality assurance guidelines in relation to the assessment of ELE programmes.

ELE providers should also refer to the following QQI statutory guidelines:

1. [Core Statutory Quality Assurance Guidelines developed by QQI for use by all Providers](#)
2. [Sector Specific Statutory Quality Assurance Guidelines developed by QQI for Independent/Private Providers coming to QQI on a Voluntary Basis](#)
3. [Statutory Quality Assurance Guidelines for Providers of Blended and Online Programmes](#)

3. STRUCTURE OF THE ELE CODE

The ELE Code comprises criteria to be met by providers under the following categories:

- General statutory requirements;
- Requirements for premises;
- Operational, risk and human resources management;
- Programme design;
- Supports and services for international learners;
- Marketing and recruitment;
- Enrolment, fees, refunds and subsistence.

Apart from the general statutory requirements, which are considered in section 4 below, all the categories above are addressed in sections 5-10 of this ELE Code. Each category is described by an overarching principle and supported by a series of criteria. It is of note that many of these criteria relate to how a provider communicates with international learners, staff and other stakeholders. Collectively, they emphasise that providers should make a focused effort to communicate clearly and honestly with international learners, staff and other stakeholders in relation to the specific needs of each cohort.

The ELE Code also includes eight appendices as follows:

- Appendices One and Two include information on related learner protection measures;
- Appendix Three reproduces the London Statement, an internationally recognised statement of principles for the ethical recruitment of international students by education agents, recruitment partners and consultants. This document is referenced as the required benchmark in section 9.2 (c) of this ELE Code;
- Appendix Four outlines minimum requirements in relation to academic staff qualifications;
- Appendix Five outlines minimum requirements in relation to accommodation services;
- Appendix Six sets out a list of references and resources for providers. These resources may also be of interest to other stakeholders;
- Appendix Seven sets out a list of references and resources for learners. These resources may also be of interest to other stakeholders;
- Appendix Eight provides a glossary of abbreviations, acronyms and terms used in the text.

4. GENERAL STATUTORY REQUIREMENTS

4.1 Quality assurance

In invoking the ELE Code for the purpose of applying for authorisation to use the IEM, an ELE provider must:

- ✓ have established procedures for quality assurance under section 28 of the 2012 Act as amended. These should address, in an appropriate manner, the requirements of this ELE Code, the requirements of the QA Guidelines for ELE, and other requirements for authorisation to use the IEM as set out in Part 5 of the same Act.

Mindful of this requirement, the ELE Code builds on existing sectoral practice to establish a focused set of quality standards for the provision of ELE programmes by ELE providers to international learners in the state. The ELE Code is complemented by the QA Guidelines for ELE. In order to demonstrate the suitability of their quality assurance procedures, ELE providers must have regard to, and meet, the criteria set out in the QA Guidelines for ELE. Both documents should be used by providers to examine practices and identify areas that may require development. These documents may also be used to assist ELE providers in their efforts to ensure a positive learning experience for international learners from the first point of engagement with the provider through to their exit from their ELE programme. Compliance with the ELE Code and QA Guidelines for ELE should be integrated into ELE providers' own quality assurance policies and procedures.

(Please see sections 5-10 below, and the QA Guidelines for ELE.)

4.2 Access, transfer and progression

In invoking the ELE Code for the purpose of applying for authorisation to use the IEM, an ELE provider must:

- ✓ have established procedures for access, transfer, and progression under section 56 of the 2012 Act as amended.

These procedures should be cognisant of the interests and needs of international learners, and reference, in an appropriate manner, the location in which information is provided by the ELE provider on the pathways for international learners to further study, employment, and residency (where applicable).⁶

4.3 ELE programmes and the Irish Register of Qualifications

An ELE provider may invoke the ELE Code for the purpose of applying for authorisation to use the IEM if all ELE programmes offered by the provider to international learners are in compliance with ELE Code requirements regarding the alignment of programmes

⁶ For the purpose of this ELE Code, in the context of ELE, examples of access transfer and progression may include progression from one CEFR level to another, either with the same ELE provider or a different one, or progression from an ELE provider, following the successful completion of a programme, to a programme of further or higher education. For learners from EU states, an example of access, transfer and progression may include the use of the 'Europass': Home | Europass

with the Common European Framework of Reference for Languages (CEFR).

Under section 79 of the 2012 Act as amended, QQI maintains a database, the Irish Register of Qualifications (IRQ), to provide authoritative information on awards included within the NFQ and their associated programmes, and, with regard to the IEM, on ELE programmes, including programmes leading to external proficiency examinations. ELE providers authorised to use the IEM shall collaborate with QQI to furnish information required to populate the IRQ database.

4.4 Statutory due diligence assessment

In invoking the ELE Code for the purpose of applying for authorisation to use the IEM, ELE providers must demonstrate to QQI that they meet certain criteria concerning governance, finance and compliance with the law (section 29(B) of the 2012 Act as amended). The purpose of this due diligence requirement is to give QQI reasonable assurance that the said providers have the capacity and capability to implement robust quality assurance procedures, and to provide coherent programmes of education and training.

Additional information on the due diligence assessment process is set out in Appendix One of this ELE Code.

4.5 Requirements relating to the protection of enrolled learners (PEL); the collection of fees; the tax compliance of providers; and the management of provider human resources

Section 60(6) of the 2012 Act as amended requires that the ELE Code specify requirements relating to the:

- collection of fees from enrolled learners;
- arrangements for the protection of enrolled learners;
- tax compliance of providers;
- providers' policies and procedures for the management of human resources.

These requirements are addressed in the following manner in this ELE Code (sections 4.5.1-4.5.4 below)

4.5.1 Collection of fees

The statutory requirement in relation to collection of fees is addressed below in section 10 of this ELE Code.

4.5.2 Arrangements for the protection of enrolled Learners (PEL)

The statutory arrangements for the protection of enrolled learners are set out in Appendix Two of this ELE Code.

4.5.3 Tax compliance of providers

ELE providers must be fully tax compliant on an ongoing basis. This requirement is addressed in the due diligence requirements referred to above in section 4.4, and in Appendix One of this ELE Code.

4.5.4 Providers' policies and procedures for the management of human resources

The statutory requirement in relation to ELE providers' policies and procedures for the management of human resources is addressed in the context of the statutory due diligence assessment referred to above in section 4.4 and in Appendix One of this ELE Code. In the context of this ELE Code, criteria regarding human resources are also addressed below in section 6.

5. REQUIREMENTS FOR PREMISES

Principle

Premises are suitable for the provision of English Language Education and associated services to international learners, and for all staff members to complete their work duties effectively.

ELE providers are required to demonstrate compliance with the following criteria for premises:

Each ELE centre⁷ is suitable for the provision of programmes of ELE to international learners. Each ELE centre:

- (i) has planning permission for educational use*;
- (ii) has all necessary building requirements in place, e.g., fire safety and insurance*;
- (iii) has capacity that is adequate and suitable for all members of staff and all currently enrolled learners at the premises at any one time*;
- (iv) has suitable temperature, ventilation and light throughout the centre*;
- (v) has classrooms that are suitable in size for the number of learners and teachers assigned to each classroom, have sufficient light and suitable acoustics, and are appropriately equipped for the purpose of provision of ELE to international learners*;
- (vi) has suitable and adequate space reserved exclusively for the use of academic staff to plan lessons and consult with colleagues;
- (vii) has suitable and adequate rest and study areas that are available to learners;
- (viii) has suitable and adequate rest areas that are available to staff;
- (ix) has adequate toilet facilities for all members of staff and all currently enrolled learners at the premises at any one time*;
- (x) is well maintained and clean*.

*These requirements also apply to temporary classroom spaces (please see definition of 'centre' in the context of ELE in footnote 7 below)

(Please see Appendix Six for information on consumer protection law.)

7 Definition of 'centre' in the context of ELE: an ELE provider's main centre is defined as the premises where the main administrative and academic functions and teams are located. The main centre may operate out of one or more buildings within the same town or city but an ELE provider may only have one main centre within one town or city. Administrative and academic functions and teams must be replicated in each building as appropriate to learner and staff needs. A temporary centre is defined as a centre that is used at certain times of the year e.g., during the summer, whether within the same town or city or in another town or city in the state. Administrative and academic functions and teams must be located at temporary centres as appropriate to learner and staff needs. Temporary classrooms are defined as spaces that are suitable for temporary ELE provision as required. Administrative and academic functions and teams appropriate to learner and staff needs must either be located in the same building as the temporary classrooms, or at the main centre. Temporary classrooms must be located within a 1km distance from the main centre. Any centre that is located in another town or city to the main centre is defined as a separate centre.

6. OPERATIONAL, RISK AND HUMAN RESOURCES MANAGEMENT

Principle

Operational, risk and human resource management systems and procedures are fit for purpose, meet the operational and quality assurance needs of the ELE provider and meet all legislative requirements.

ELE providers are required to demonstrate compliance with the following criteria in the areas of operational, risk and human resources management:

6.1 Data management

- (a) All records for administration, accounts, marketing, staff, learners, partners, clients, associates and other stakeholders are securely stored on the management system.
- (b) Access is restricted to those members of staff who need to have specific access to data as relevant to their role.
- (c) There is a supporting back-up document storage system in place in the event that the management system fails.
- (d) All data management systems comply with GDPR legislation.

(Please see Appendix Six, and the QA Guidelines for ELE, section 2.1, Organisational Structures, and section 2.2, Management and Governance of Quality Assurance)

6.2 Corporate and academic governance

- (a) ELE providers ensure that academic decision-making is independent of commercial considerations and influence of business directors, owners, shareholders, trustees or others, and business decisions do not unreasonably compromise the academic integrity and quality of ELE provision.
- (b) There is a clear distinction of roles between corporate and academic governance within the organisation and there is an academic governance committee in place to ensure this distinction is maintained.
- (c) Academic decision-making reflects the interests of learners and the maintenance and enhancement of academic quality within the organisation.
- (d) The academic governance committee may be made up of senior members of academic staff at the centre. However, where a provider's scale is such that

it cannot support the separation of corporate and academic governance or an academic governance committee internally, alternative arrangements are put in place to ensure objective oversight, such as the use of external ELE expertise.

6.3 Risk management

- (a) There is a risk assessment policy and a risk assessment plan in place, and both are reviewed periodically to inform strategic risk planning.
- (b) Risk management includes procedures to ensure that the provider is not engaged in activities or partnerships which may undermine the quality or integrity of ELE provision, or associated services, offered.

6.4 Change and crisis management

Change and crisis management systems are in place that are fit for purpose and provide for the management of essential changes that must be made as needed.

6.5 Partnerships and collaborations

- (a) Where an ELE provider organises or procures a programme which is provided in whole or in part with another ELE provider, or other type of provider, e.g., an activity centre or accommodation provider, the ELE provider establishes and confirms formal agreements with the other provider, which include parallel quality assurance procedures with that provider.
- (b) Where an ELE provider collaborates with other providers, the ELE provider has quality assurance procedures in place to approve collaboration arrangements with other providers and to monitor and review the effectiveness of these arrangements.
- (c) Providers apply due diligence and ensure they are aware of any reputational risk to themselves and to the ELE sector associated with prospective providers with which they are considering entering collaboration arrangements.
- (d) ELE providers do not enter any business partnership which may potentially cause a conflict, such as full or part ownership of an employment agency that employs international learners, or full or part ownership of an agency that recruits international learners, whether for the ELE provider concerned or for other ELE providers.
- (e) Any existing business interest of the ELE provider that may potentially cause a conflict, such as full or part ownership of an employment agency that employs international learners, or full or part ownership of an agency that recruits international learners, whether for the ELE provider concerned or for other ELE

providers, is declared. In this case, ELE providers are required to demonstrate how due diligence is applied to avoid any potential risk to the ELE provider concerned, to other ELE providers, to learners of the ELE provider concerned or of other ELE providers, or to the ELE sector in Ireland.

- (f) ELE providers declare any ownership or part ownership of accommodation provision for learners and ensure that all key stakeholders, e.g., students, education agents and teachers, who wish to avail of accommodation services that are owned or part-owned by the provider, are made aware of this fact before contracting any accommodation service with the provider.

(Please see section 9, Marketing, and the QA Guidelines for ELE, section 2.2, Management and Governance of Quality Assurance)

6.6 Human resources

6.6.1 Staff recruitment

- (a) There is a systematic approach to the fair, inclusive and transparent recruitment of staff.
- (b) The ELE provider ensures that academic and administrative staff have sufficient expertise and experience to fulfil their designated roles, thereby enhancing the teaching and learning environment for learners and staff.

6.6.2 Conditions of employment

- (a) Employment terms and conditions for staff members comply with national employment legislation.
- (b) Terms and conditions, e.g., remuneration and leave conditions, are commensurate with the qualifications and experience of staff members.
- (c) Conditions of employment reflect the mission statement and objectives of the provider and support commitment to staff, learners and the organisation.
- (d) Each member of staff has a written contract, which is updated to reflect changes, e.g., roles, responsibilities, conditions or place of work.
- (e) Each member of staff has a written job description, which accurately reflects the current roles and responsibilities of the staff member, and which is updated as evolving needs are identified.

(Please see Appendix Six for details on requirements regarding employment legislation.)

6.6.3 Academic staff qualifications

- a) All teachers are suitably qualified and experienced to fulfil their designated role.
- b) All academic managers are suitably qualified and experienced to fulfil their designated role.

(Please see Appendix Four for details on requirements for academic staff, and the QA Guidelines for ELE, section 2.3, Academic Management Structures.)

6.7 Operational academic management

- (a) There is an appropriate learner : teacher/teacher trainer ratio for all ELE programmes to ensure participation opportunities on the part of the learners and effective classroom management on the part of teachers and teacher trainers. A maximum ratio of 16 learners/teachers : 1 teacher/teacher trainer is required. For closed groups, a maximum ratio of 18 learners : 1 teacher/teacher trainer is required. For foundation year programmes, a maximum ratio of 24 learners : 1 teacher is required.
- (b) Each centre has a dedicated academic manager⁸. This requirement will not apply in the case of additional spaces that are located within a distance of one kilometre from the main centre and are used as temporary classrooms.
- (c) The number of academic managers per centre is proportional to the number of enrolled learners at the centre. A maximum ratio of 160 learners : 1 academic manager per centre is required.
- (d) Academic managers may be included on the teaching and training schedule to ensure currency of effective practice. However, once a centre has a minimum of five groups of ELE learners, the academic manager's teaching must be restricted to a maximum of five contact teaching hours per week. An academic manager's duties may include occasional substitution teaching hours, when required, up to a maximum of fifteen contact teaching hours in one week at any one time. Beyond this, another teacher must be recruited as needed, and the academic manager must return to delivering a maximum of five contact teaching hours per week.

⁸ For the purpose of this ELE Code, an academic manager is defined as a member of staff who is responsible for academic management at an ELE provider. This may mean management of an academic department or management of a part, or parts, of an academic department, such as academic administration, teacher training, teacher development, young learners and teens, groups and examinations. Academic manager roles/titles may include, but are not limited to, the following: Principal, Head of School, Head of Education, Director of Education, Director of Studies, Academic Director/Manager, Assistant Director of Studies, Young Learner and Teens Coordinator/Manager, Group Coordinator/Manager, Examinations Coordinator/Manager, Head/Director of Teacher Training, Head/Director of Teacher Development. In each case, the academic manager is suitably qualified and experienced to fulfil their designated role. Depending on the size of the provider, there may be one or more than one academic manager, but there must always be a suitably qualified and experienced academic manager employed at the centre with responsibility for teacher development. *(Please see requirements for academic managers in Appendix Four).*

- (e) Each teacher's schedule has a maximum of thirty sixty-minute contact teaching hours per week at all times of the year.⁹
- (f) Teaching schedules of a maximum of thirty sixty-minute contact teaching hours per week are fully supported by well-designed curricula, syllabuses and course programmes/schemes of work, which are clearly and closely aligned to the Common European Framework of Reference for Languages (CEFR).

(Please see the QA Guidelines for ELE, section 2.4, Programme Design, Annex One, Guidelines for ELE Providers on the Alignment of ELE Programmes to the Common European Framework of Reference for Languages (CEFR), and Annex Two, Guidelines for Assessment in English Language Education.)

6.8 Grievances

- (a) There is an internal grievance policy in place for staff members, with documented procedures and clear lines of communication and accountability. Access to an external and independent grievance procedure, which is external to QQI, forms part of this process if internal processes do not achieve a mutually accepted resolution.
- (b) Where employment practices form part of the complaint, the state-appointed authority is brought into the process.

(Please see Appendix Six for details on employment legislation, and the QA Guidelines for ELE, section 2.3, Academic Management Structures.)

⁹ This requirement will apply to all teaching staff who are recruited from the time of the submission of the ELE provider's initial application for authorisation to use the IEM. This requirement will not apply to existing teaching staff with schedules that exceed thirty sixty-minute hours per week. However, providers will be required to meet this requirement for all teachers for the second three-year authorisation cycle.

7. PROGRAMME DESIGN

Principle

There is a clear and well-designed programme framework in place, where the curriculum, syllabus(es), course programme(s) and assessment framework(s) are clearly and closely aligned to the Common European Framework of Reference for Languages (CEFR), and which meets the needs of learners.

ELE providers are required to demonstrate compliance with the following criteria in the areas of programme design:

7.1 Curriculum, syllabus and course programme/scheme of work design

- (a) There is a curriculum, syllabus and course programme/scheme of work framework in place that is developed and managed by suitably qualified and experienced senior academic staff.
- (b) The curriculum, syllabus and course programme/scheme of work design is clearly and closely aligned to the Common European Framework of Reference for Languages (CEFR), with clearly defined learning outcomes that are articulated in 'can do' descriptors.
- (c) The curriculum, syllabus and course programmes/schemes of work are developed with learner needs and interests in mind.
- (d) The curriculum, syllabus and course programmes/schemes of work are updated as appropriate, dependent on evolving methodologies and learner needs.
- (e) Curriculum, syllabus and course programme/scheme of work design and updates are approved by the academic governance committee, or the external ELE expert(s), as appropriate to the ELE provider context, and approvals are documented.

7.2 Assessment systems

- (a) There is an assessment framework in place that is developed and managed by suitably qualified and experienced senior academic staff.
- (b) The assessment framework is clearly and closely aligned to the intended learning outcomes of each ELE syllabus/course programme, expressed in 'can do' descriptors from, or adapted from, the CEFR.

- (c) The assessment framework includes testing mechanisms that are fair, clear and accessible, and the principles of validity, reliability and impact are well considered.
- (d) The assessment framework is tailored to learner needs, e.g., higher education or employment, as appropriate.
- (e) The assessment framework is updated as appropriate, dependent on evolving practices, approaches and learner needs.
- (f) The assessment framework is approved by the academic governance committee, or the external ELE expert(s), as appropriate to the ELE provider context, and approvals are documented.
- (g) There are procedures and systems in place to manage the security and integrity of the assessment process.

(Please see the QA Guidelines for ELE, section 2.4, Programme Design, Annex One, Guidelines for ELE Providers on the Alignment of ELE Programmes to the Common European Framework of Reference for Languages (CEFR), and Annex Two, Guidelines for Assessment in English Language Education.)

8. SUPPORTS AND SERVICES FOR INTERNATIONAL LEARNERS

Principle

Conditions for learners reflect the organisational mission and objectives of the ELE provider and support the provision of high-quality ELE and associated services to international learners. Providers foster an environment which supports the well-being and integration of all learners into the student body and community and ensure a positive learning experience for learners.

ELE providers are required to comply with the following criteria in the areas of supports and services for international learners:

8.1 Learner support and welfare

- (a) There is/are a suitably trained member(s) of staff responsible for learner support and welfare.
- (b) Providers have a Welfare Support Policy in place that is designed to support international learners in instances of emergency or hardship.

8.2 Learner orientation and induction

- (a) Initial orientation information is sent to learners prior to their arrival, e.g., transport and accommodation services.
- (b) Providers ensure that inductions are offered to learners on arrival at the centre and that they are appropriate and accessible to all learners.
- (c) Learner groups are multi-lingual with a variety of different language speakers in order to optimise English language learning opportunities. Where this is not possible, ELE providers ensure that learners and other stakeholders are aware of this fact before enrolment.

(Please see section 9, Marketing and Recruitment.)

8.3 Learners requiring entry visas and/or immigration permissions.¹⁰

- (a) Further induction and information dissemination is required for non-EU/EEA learners requiring entry visas and/or immigration permissions. This induction must be clear and accessible and contain coverage of areas including, but not limited to, the following:

¹⁰ The relevant information is available at <https://www.irishimmigration.ie/coming-to-study-in-ireland/>

- (i) entry visas and/or immigration permission conditions
- (ii) attendance and punctuality
- (iii) absenteeism and consequences, including expulsion
- (iv) sick and bereavement leave
- (v) holidays
- (vi) assessment

(Please see the QA Guidelines for ELE, section 2.5, Supports and Services for International Learners.)

8.4 Accommodation

- (a) All accommodation offered by ELE providers meets ELE Code requirements.
- (b) ELE providers also offer advice in relation to obtaining accommodation not offered by providers.
- (c) ELE providers declare any possible conflict of interest: where accommodation is owned/managed by the ELE provider, or by a partner of the ELE provider, this must be declared to learners and other stakeholders before they book the accommodation.
- (d) ELE providers ensure that all accommodation offered by providers to learners is suitable and appropriate for learners to live and study in comfortably.
- (e) ELE providers ensure all information sent to learners, education agents, recruitment partners, consultants, parents and other stakeholders is clear, accurate, transparent, accessible, relevant and up to date. Where there is any potential issue in finding suitable accommodation for learners, providers ensure that this information is made available to learners, education agents, recruitment partners, consultants, parents and other stakeholders, prior to a learner's enrolment on the programme.

(Please see Appendix Five for requirements in relation to accommodation offered by ELE providers.)

8.5 Safeguarding

- (a) ELE providers who recruit learners who are minors are responsible for ensuring all legislative obligations are met in relation to the following areas:
 - (i) safeguarding;
 - (ii) Garda vetting for all relevant members of staff who work with learners who are minors;

- (iii) approved safeguarding training for all relevant members of staff. Where ELE providers have agreements with external accommodation providers, the ELE provider is responsible for ensuring that all relevant members of staff of the accommodation provider have completed Garda vetting.
- (b) There is a safeguarding policy, and procedures, in place, and a dedicated member(s) of staff to manage all areas of child welfare and protection, including required approved safeguarding training for all relevant members of staff.
- (c) Where minors are mixed with adults, whether in the same closed group, class or in the same building, providers have procedures in place, including obtaining permission from parents/guardians in the case where minors are placed in class with adults.

(Please see Appendix Six for requirements in relation to Garda vetting.)

8.6 Complaints and grievance procedures

- (a) There is a clear and accessible internal complaints and grievance policy in place for learners and other stakeholders to ensure that issues are dealt with efficiently.
- (b) Should the internal complaints and grievance procedures not reach a mutually accepted resolution, access to an independent procedure, established by the ELE provider, or by a representative group, and independent of QQI, forms part of this process.

9. MARKETING AND RECRUITMENT

Principle

ELE providers recruit international learners, whether directly or with recruitment agents, in a transparent and ethical manner. They ensure that clear, accurate, transparent, accessible, relevant and up to date information is provided in all marketing and promotional materials.

ELE providers are required to demonstrate compliance with the following criteria in the areas of marketing and recruitment:

9.1 Marketing information

- (a) ELE providers ensure that clear, accurate, transparent, accessible, relevant and up-to-date information is available to learners, education agents, recruitment partners, consultants and other stakeholders in all promotional materials and on the website.
- (b) ELE providers
 - (i) endeavour proactively to understand the information needs of prospective international learners, education agents, recruitment partners, consultants and other stakeholders;
 - (ii) ensure that information provided to potential international learners about the provider and their programmes and other services is clear, accurate, transparent, accessible, relevant and up-to-date. This includes information about the intended purpose of the ELE programme e.g., to prepare a learner for further study, a proficiency ELE examination or specific employment, with intended learning outcomes;
 - (iii) ensure that all information is provided in a way that is accessible to international learners and assists them in making informed decisions. This information should support international learners in understanding all matters related to an ELE programme prior to enrolment. If provided in a language other than English, it is the responsibility of the ELE provider to ensure that the information is clear, accurate, transparent, accessible, relevant and up-to-date;
 - (iv) where applicable, information should be provided on the recognition of ELE proficiency examinations, both in the state and internationally.

- (v) accurately represent their company and facilities in all marketing and promotional materials and ensure that no false or misleading information is given or implied. For example, if there is the possibility that a learner may have an afternoon schedule of ELE lessons instead of an expected morning schedule, this information is included.
- (vi) provide contact details for an appropriate person(s) to provide assistance with queries from international learners prior to enrolment, e.g., the enrolments officer or student welfare officer;
- (vii) provide details of the arrangements in place for the protection of enrolled learners under Section 65 of the 2012 Act as amended.

(Please see section 4.5.2 above and Appendix Two, Arrangements for the protection of enrolled learners, below.)

- (c) Information provided on marketing materials includes, but is not limited to, the following:
 - (i) details of all services offered by the ELE provider;
 - (ii) current dates for programmes, a current academic calendar and information on rolling enrolment procedures;
 - (iii) information regarding the corporate structure of the organisation, i.e., if it is an independent organisation, a branch of an international or multinational company, a provider with a number of centres, whether nationally and/or internationally, or part of a franchise;
 - (iv) accreditation bodies, associations, organisations or examining bodies that ELE providers are members of, or are recognised by. These are clearly and accurately represented so that they are easily understood by learners and other stakeholders. Where appropriate, weblinks to accreditation bodies, associations, organisations or examining bodies are made available, as well as any centre numbers or affiliation status;
 - (v) distinctions made between logos or marks which demonstrate whether the ELE provider offers a programme leading to a specific ELE award, is an authorised centre for an examining body, is a member of an association or organisation, or is accredited by an organisation or association, and therefore authorised to use a logo, mark, centre number or centre name to confirm this;
 - (vi) information on associated requirements for learners requiring entry visas and/or immigration permissions, where relevant;

- (vii) comprehensive information, where appropriate, on foundation and pathway programmes for entry onto higher education programmes. The entry and progression information relating to such programmes should be clear, accurate, transparent, accessible, relevant and up-to-date;
- (viii) information on the typical makeup of first language speakers at the centre. Where there is a majority of one first language group of learners in the centre, this is made clear to learners, parents, education agents, recruitment partners and consultants, as well as other stakeholders, prior to enrolment;
- (ix) information on types of accommodation offered by the provider, which is clear, accurate, transparent, accessible, relevant and up-to-date. Information on the availability of accommodation, whether provided by the ELE provider or not, is made clear to international learners and other stakeholders prior to enrolment;
- (x) information on the complaints and grievances procedure.

9.2 Partnerships with education agents, recruitment partners and consultants

- (a) ELE providers have an up-to-date written agreement with each education agent, recruitment partner and consultant that formally represents the ELE provider.
- (b) ELE providers perform due diligence, e.g., three reference checks, to verify the track record of prospective education agents, recruitment partners and consultants in relation to learner protection issues, prior to entering into a contractual agreement.
- (c) ELE providers ensure that any contractual arrangements entered with education agents, recruitment partners and consultants incorporate the principles of the *London Statement*. Existing agreements or contracts with education agents, recruitment partners and consultants that do not incorporate these principles shall be amended appropriately within two years of the date on which the ELE provider is authorised to use the IEM¹¹.
- (d) The contract between the ELE provider and education agent, recruitment partner or consultant includes a termination clause in instances where the partner does not comply with the principles of the *London Statement* or is found to have acted in an unethical fashion to the detriment of international learners.
- (e) ELE providers have in place a process for reviewing, at least once every two years, the activities of education agents, recruitment partners and consultants to ensure that they are operating within the required parameters of the ELE

¹¹ Providers should also consult the following document when considering partnerships with prospective agents and when revising existing agent agreements: [National-Code-of-Ethical-Practice-for-UK-Education-Agents.pdf \(buila.ac.uk\)](https://www.buila.ac.uk/national-code-of-ethical-practice-for-uk-education-agents.pdf).

Code and the London Statement.

- (f) ELE providers ensure that education agents, recruitment partners and consultants are in possession of clear, accurate, transparent, accessible, relevant and up-to-date information regarding the provider and its provision.
- (g) ELE providers ensure that education agents, recruitment partners and consultants are appropriately trained by the provider on a regular basis, as needed.

(Please see Appendix Three for the full text of the London Statement, Appendix Six, Resources for ELE providers, and the QA Guidelines for ELE, section 2.2, Management and Governance of Quality Assurance.)

10. ENROLMENT, FEES, REFUNDS AND SUBSISTENCE

Principle

ELE providers provide all learners with clear, accurate, transparent, accessible, relevant and up to date information on all study-related costs, including tuition, materials, travel, subsistence, health care and accommodation. ELE providers inform learners about fees and other costs associated with undertaking an ELE programme of study in Ireland.

ELE providers are required to demonstrate compliance with the following criteria in the areas of enrolments, fees, refunds and subsistence.

10.1 Fees and terms and conditions

- (a) ELE providers establish a realistic and sustainable fee structure that supports the mission of the organisation and reflects the real costs associated with high quality ELE provision.
- (b) Information regarding fees for all programmes included in promotional materials, such as brochures and on the company website, is clear, accurate, transparent, accessible, relevant and up-to-date.
- (c) ELE providers give clear, accurate, transparent, accessible, relevant and up-to-date information on enrolment and programme fees. Providers ensure that there are no unexpected charges or additional fees that have not been brought to the attention of international learners and other stakeholders prior to enrolment.
- (d) Where accommodation is offered by the ELE provider, clear, transparent, accurate, accessible, relevant and up-to-date information is made available about accommodation booking fees and accommodation fees.
- (e) Clear, accurate, transparent, accessible, relevant and up-to-date information is made available about the terms and conditions policy regarding enrolments, fees, cancellations and refunds. This policy outlines the procedures regarding refunds, e.g., in the case of a refused visa application for a non-EU/EEA learner, and timelines to follow.
- (f) Where the fees do not include the cost of programme materials, this is made clear.

- (g) Any additional costs, e.g., airport transfers, programme materials and social event costs, are clearly identified.
- (h) Any fees or charges incurred, e.g., for credit card payments or payment portals, are made transparent.
- (i) ELE providers issue a receipt to learners, or to the education agent, recruitment partner or consultant on behalf of the learner, upon receipt of payment of fees, which includes an itemised breakdown of fees paid.

10.1.1 Additional costs

- (a) ELE providers give reliable, indicative and up-to-date information on the full cost of studying in Ireland, including, but not limited to:
 - (i) accommodation (if not provided by the ELE provider)
 - (ii) average food and subsistence costs
 - (iii) public transport
 - (iv) health care
 - (v) medical insurance
 - (vi) immigration-related fees e.g., visa charges
 - (vii) event programme costs
 - (viii) any other costs related to provision of student services as considered relevant by the ELE provider.

10.2 Enrolment procedures

- (a) ELE providers clearly document and describe enrolment procedures for all stakeholders.
- (b) Enrolment procedures are clear, accurate, transparent, accessible, relevant and up-to-date.
- (c) ELE providers who are authorised to use the IEM are required to put arrangements in place for the protection of enrolled learners under Section 65 of the 2012 Act as amended, prior to the recruitment of learners.

(Please see Appendix Two, Arrangements for the protection of enrolled learners, and section 4.5.2 above.)

APPENDIX ONE: STATUTORY DUE DILIGENCE ASSESSMENT

ELE providers intending to evaluate their compliance with the ELE Code for the purpose of applying for authorisation to use the IEM, must demonstrate to QQI that they meet certain due diligence criteria specified in regulations under section 29B (1) of the 2012 Act as amended. The regulations are determined by the Minister for Further and Higher Education, Research, Innovation and Science, and their intent is to afford a reasonable assurance to QQI that the specified ELE provider has the capacity and capability to:

- implement quality assurance procedures
- provide programmes of education and training consistent with the requirements of the 2012 Act as amended.

For ELE providers, the due diligence requirements constitute a core element of the IEM application process.

APPENDIX TWO: ARRANGEMENTS FOR THE PROTECTION OF ENROLLED LEARNERS (PEL)

Part 6 of the 2012 Act as amended provides for a new statutory PEL scheme underpinned by a Learner Protection Fund. The new scheme applies to programmes of education and training of three months' duration or longer and English language programmes. It will apply to:

- HE providers with programmes leading to QQI awards;
- Linked providers in respect of provision that is through designated awarding bodies, unless named as exempt in the 2012 Act as amended;
- Listed awarding bodies and their associated providers;
- ELE providers who receive authorisation to use the IEM.

The requirements for PEL specified in this ELE Code generally refer to this scheme.

APPENDIX THREE: THE LONDON STATEMENT 2012¹²

Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants¹³

1. Introduction

1.1 Context

Increasing numbers of students now move across national borders seeking education and training opportunities in order to gain internationally recognised qualifications. The OECD publication *Education at a Glance 2010* sources OECD and UNESCO Institute for Statistics, which estimated that more than three million tertiary students were educated outside their home country in 2008. Some commentators project that global demand for international education could be expected to rise to almost eight million by 2025.

The growth in the number of international students has been accompanied by an increase in the number of education agents and consultants who provide services to them. Education agents and consultants are integral and important stakeholders in international education.

1.2 Background to the Initiative

The Roundtable on the Integrity of International Education is a forum at which the UK, Australia, Canada, Ireland, New Zealand and the US meet to share knowledge and experience and identify common areas of practice and concern, as well as scope for collaboration. At the initial meeting of the Roundtable in 2010 Australia proposed developing a joint international code of ethics for international education agents which would facilitate a common approach and raise ethical standards.

The development of a 'Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants' is the initiative that flowed from that proposal. The UK, Australia, Ireland and New Zealand agreed to the statement of principles on 16 March.

Each of these countries is now working towards implementing the principles. This includes training and communications for agents.

1.3 Purpose

This high-level Statement of Principles promotes best practice among the education agents and consultant professions that support international students. The Statement

¹² [london_statement.pdf \(britishcouncil.org\)](#).

¹³ Providers should also consult the following: [National-Code-of-Ethical-Practice-for-UK-Education-Agents.pdf \(buila.ac.uk\)](#).

of Principles is a unifying set of understandings for the recruitment of, and related services provided to, students in international education which serves to promote best practice among education agents and consultants. The Statement will be reflected in each country's approach to international education.

A report on activity will be presented to the Roundtable meeting in 2013.

A number of factors which could be addressed under each principle when developing initiatives and actions are provided in an [Attachment](#) to this Statement of Principles.

2. Ethical Framework

The Statement of Principles is based on an underlying ethical framework of:

- **Integrity** – being straightforward and honest in all professional and business dealings;
- **Objectivity** – not allowing professional judgment to be compromised by bias or conflict of interest;
- **Professional competence and due care** – maintaining professional knowledge and professional service, and acting diligently;
- **Transparency** – declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student;
- **Confidentiality** – respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;
- **Professional behaviour** – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and
- **Professionalism and purpose** – acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

3. Principles

- **Principle 1** – Agents and consultants practise responsible business ethics.
- **Principle 2** – Agents and consultants provide current, accurate and honest information in an ethical manner.
- **Principle 3** – Agents and consultants develop transparent business relationships with students and providers through the use of written agreements.
- **Principle 4** – Agents and consultants protect the interests of minors.
- **Principle 5** – Agents and consultants provide current and up-to-date

information that enables international students to make informed choices when selecting which agent or consultant to employ.

- **Principle 6** – Agents and consultants act professionally.
- **Principle 7** – Agents and consultants work with destination countries and providers to raise ethical standards and best practice.

The attachment to the London Statement is available at: [Attachment-to-the-London-Statement.doc \(live.com\)](#)

APPENDIX FOUR: MINIMUM REQUIREMENTS FOR ELE TEACHERS AND ACADEMIC MANAGERS

ELE providers must ensure that all academic staff meet the minimum requirements as set out below:

1 TEACHERS OF ELE

1.1 Teachers of ELE: year-round ELE provider

1.1.1 Teachers of ELE employed at ELE providers on a year-round basis must hold, as a minimum, a major award at Level 7 on the National Framework of Qualifications (NFQ) or equivalent.

(a) In the case of international higher education awards, it is the responsibility of the ELE provider to verify the award and document the verification for each teacher. This can be completed through the QQI NARIC team: [NARIC Ireland](#)

(b) In the case of a major award at Level 7 on the NFQ or equivalent that is an award in English Language Teaching or Language Teaching, this award will also meet the requirement in 1.1.2 below, if one the conditions in 1.1.2 (a) - (d) below are fully met.

(c) In the case where a teacher does not have a major award at Level 7 on the NFQ or equivalent, there must be evidence of relevant prior learning and experience, which the ELE provider must fully verify, justify and document.

1.1.2 ELE teachers employed at ELE providers on a year-round basis must have successfully completed one of the following teacher training programmes:

(a) An English language teacher training/education programme leading to an award at a minimum of Level 6 on the NFQ or equivalent, consisting of a minimum of:

- 120 contact training hours;
- 6 (60-minute) hours of observed and assessed teaching practice with ELE students at 2-3 distinct CEFR levels;
- 4 (60-minute) hours of observation of experienced teachers at distinct levels, a minimum of 50% of which must be live lessons with ELE learners.

The award must be validated by QQI, a national awarding body or an internationally recognised awarding body.

(b) An English language teacher training/education programme leading to an award at a minimum of Level 6 on the NFQ or equivalent that does not meet the requirements

above in (a), i.e., does not include a minimum of 120 contact teaching hours and/or a teaching practice component with ELE learners and/or observations of experienced teachers of ELE. In this case, the ELE provider must offer teachers a teacher training programme e.g., as part of their induction, that includes the following, as relevant to needs, to meet the requirements above in (a):

- relevant input, including, but not limited to the following: classroom management, lesson planning, lesson frameworks, language analysis for grammar, language analysis for lexis, phonology, classroom interaction, error correction, assessment, content and language feedback;
- an observed and assessed lesson planning, teaching practice and feedback cycle with a minimum of 3 (60-minute) hours of observed and assessed teaching practice with ELE learners at 2 distinct CEFR levels;
- observations of experienced teachers, with a minimum of 3 (60-minute) hours of live observations of experienced teachers of ELE at 2 distinct CEFR levels.

The training programme must be delivered by suitably qualified teacher trainers and must be fully documented by the ELE provider for each teacher who participates in this programme.

In the case where teachers already employed by the ELE provider hold an ELT qualification that does not meet the requirements above in 1.1.2 (a) or (b), ELE providers must verify that similar training, as outlined above in 1.1.2 (b), has been offered to the teacher. This training must be fully documented for each teacher.

(c) A teacher training/education programme to teach a language other than English leading to an award at a minimum of Level 6 on the NFQ or equivalent, and that matches the criteria set out above in 1.1.2 (a). The award must be validated by QQI, a national awarding body or an internationally recognised awarding body. The ELE provider must verify the qualification and offer reasonable justification for the teacher's recruitment. Furthermore, the ELE provider must offer training, as described in 1.1.2 (b) above, which is fully documented by the ELE provider for each teacher who participates in this programme.

(d) A teacher training/education programme to teach a language other than English, leading to an award at a minimum of Level 6 on the NFQ or equivalent, and that does not include a teaching practice component with learners of this language or observations of experienced teachers of this language. The award must be validated by QQI, a national awarding body or an internationally recognised awarding body. The ELE provider must verify the qualification and offer reasonable justification for the teacher's recruitment. Furthermore, the ELE provider must offer training, as described in 1.1.2 (b) above, which is fully documented by the ELE provider for each teacher who participates in this programme.

1.1.3 Teachers of ELE employed on a year-round basis and whose first language is not English must have, as a minimum, a C1+ - C2 level of English, verifiable in one of the following ways:

- (a) English language proficiency award at C1+ - C2 level that is accredited by a national awarding body or internationally recognised awarding body.
- (b) An English language teacher training/education award at a minimum of Level 6 on the NFQ or equivalent, as described in 1.1.2 (a) above.

1.2 Teachers of ELE: junior summer/short programme ELE provider

1.2.1 Teachers of ELE employed at a junior summer/short programme ELE provider must hold, as a minimum, a major award at Level 7 on the National Framework of Qualifications (NFQ) or equivalent.

(a) In the case of international higher education awards, it is the responsibility of the ELE provider to verify the award and document the verification for each teacher. This can be completed through the QQI NARIC team: [NARIC Ireland](#)

(b) In the case of a major award at Level 7 on the NFQ or equivalent that is an award in English Language Teaching or Language Teaching, this award will also meet the requirement in 1.2.2 below, if one of the conditions in 1.2.2 (a)-(c) (and (d), if relevant) below, are fully met.

(c) In the case where a teacher does not have a major award at Level 7 on the NFQ or equivalent, there must be evidence of relevant prior learning and experience, which the ELE provider must verify, justify and document for each teacher.

1.2.2 ELE teachers employed at a junior summer/short course ELE provider must have successfully completed one of the following teacher training programmes:

(a) One of the programmes listed above in 1.1.2 (a) – (d), as well as training in teaching ELE to young learners/teens. If teachers have not already completed a teacher training programme for teachers of young learners/teens, ELE providers must ensure that induction procedures include input on relevant approaches, materials, techniques and skills to help prepare teachers to work with young learners and teens. Inductions must be fully documented and recorded for each teacher.

(b) A teacher training/education programme leading to a major award at a minimum of Level 7 on the NFQ or equivalent at primary or secondary education level.

(c) Teachers may also be in their final year of a teacher training/education programme leading to a major award at Level 7 on the NFQ or equivalent at primary or secondary education level.

(d) In the case of (b) and (c) above, the ELE provider must offer teachers a practical teacher training programme as described in 1.1.2 (b) above, but with a focus on teaching young learners/teens. The training must be delivered by suitably qualified teacher trainers as part of the teacher's induction prior to commencement and must be fully documented for each teacher.

1.2.3 Teachers of ELE employed at junior summer/short programme provision ELE centres and whose first language is not English must have, as a minimum, a C1+ - C2 level of English, verifiable in one of the following ways:

- (a) English language proficiency award at C1+ - C2 level that is accredited by a national awarding body or internationally recognised awarding body.
- (b) An English language teacher training award at a minimum of Level 6 on the NFQ or equivalent, as described in 1.1.2 (a) above.

2 ACADEMIC MANAGERS

2.1 For the purpose of this ELE Code,

an academic manager is defined as a member of staff who is responsible for academic management at an ELE provider. This may mean management of an academic department or management of a part, or parts, of an academic department, such as academic administration, teacher training, teacher development, young learners and teens, groups and examinations. Academic manager roles/titles may include, but are not limited to, the following: Principal, Head of School, Head of Education, Director of Education, Director of Studies, Academic Director/Manager, Assistant Director of Studies, Young Learner and Teens Coordinator/Manager, Group Coordinator/Manager, Examinations Coordinator/Manager, Head/Director of Teacher Training, Head/Director of Teacher Development. In each case, the academic manager is suitably qualified and experienced to fulfil their designated role. Depending on the size of the provider, there may be one or more than one academic manager, but there must always be a minimum of one suitably qualified and experienced academic manager employed at the centre with responsibility for teacher development.

2.2 Academic managers employed at a junior summer/short programme ELE provider must hold, as a minimum, a major award at Level 7 on the National Framework of Qualifications (NFQ) or equivalent.

- (a) In the case of international higher education awards, it is the responsibility of the ELE provider to verify the award and document the verification. This can be completed through the QQI NARIC team: NARIC Ireland
- (b) In the case of a major award that is also an award in English Language Teaching or Language Teaching, this award will also meet the requirement in 2.3 below, if one of the conditions in 1.1.2 (a) - (d) above are fully met.
- (c) In the case where a teacher does not hold a major award at Level 7 on the NFQ or equivalent, there must be evidence of relevant prior learning and experience, which the ELE provider must fully verify, justify and document.

2.3 Academic managers employed at year-round and summer/short programme centres must meet the same requirements as those for teachers of ELE at year-round centres, as described above in 1.1 (1.1.1-1.1.2).

2.4 Academic managers who have a teacher development role within the organisation, whether they are the only academic manager or one of a team of academic managers, must have successfully completed an English language teacher training/development programme at Level 9 on the NFQ or equivalent that meets one of the following descriptions:

- (a) An English language teacher training/education programme leading to an award at Level 9 on the NFQ or equivalent that includes an assessed teaching practice component and that is validated by QQI, a national awarding body or an internationally recognised awarding body.
- (b) An English language teacher training/education programme leading to an award at Level 9 on the NFQ or equivalent that does not include an assessed teaching practice component, and that is validated by QQI, a national awarding body or an internationally recognised awarding body. In this case, the academic manager must have completed one of the teacher training/education programmes listed in 1.1.2 (a) – (d) above.

2.5 Academic managers who do not have a teacher development role are not required to meet the requirements set out in 2.4 above.

2.6 It is recommended that academic managers who have an administrative role complete some training in academic management.

2.7 Academic managers must have a minimum of 3 years' relevant ELT experience.

2.8 Academic managers employed at year-round and junior summer/short programme ELE centres and whose first language is not English must have, as a minimum, a C1+ - C2 level of English, verifiable in one of the following ways:

- (a) English language proficiency award at C1+ - C2 level that is accredited by a national awarding body or internationally recognised awarding body.
- (b) An English language teacher training award at Levels 6-9 on the NFQ or equivalent, as described in 1.1.2 (a) or 2.4 (a) above.

APPENDIX FIVE: MINIMUM REQUIREMENTS FOR ACCOMMODATION SERVICES

1 Homestay accommodation

- ELE providers have current formal agreements and terms and conditions in place with all homestay accommodation providers.
- Applying homestay providers are visited and inspected in person by the staff member responsible for accommodation placements in order to assess their suitability. Each inspection is documented.
- Homestays are visited and inspected by the ELE provider at least once every three years, and when a change of circumstances is identified by the homestay provider, e.g., when the household grows or when refurbishments are carried out. Each inspection is documented. Feedback is collected from learners about their experience with their homestay and negative comments may result in an inspection visit.
- It is the ELE provider's responsibility to ensure that the homestay offer is suitable for ELE learners and that there is enough space for learners to live and study comfortably.
- All homestay providers are fully acquainted with the terms and conditions regarding the provision of accommodation services, including booking and cancellation procedures and conditions for students.
- All records are securely maintained by the provider in accordance with GDPR legislation.
- English is always the language of communication at the homestay.
- Prior to the student's arrival, it is the ELE provider's responsibility to ensure that homestay providers:
 - are informed of the student's travel arrangements, time of arrival and any meeting arrangements;
 - are provided with the 24-hour emergency phone number;
 - agree to provide any special requirements, e.g., dietary, for the student.

All homestay providers must:

- provide a friendly environment which enables the student to feel welcome and part of the home;
- receive a schedule of the learner's timetable, including classes and excursions, from the provider;
- provide meals and services as agreed with the ELE provider;
- declare if they also provide homestay services to another ELE provider, or other provider, e.g., a HEI or agency, at the time of confirming accommodation for a learner.

1.1 Homestay providers and minors (11–18 years old)

- All adults who are resident at the homestay undergo Garda Vetting prior to the homestay provider being accepted by the ELE provider;
- ELE providers ensure that minors are not placed in homestay providers with other learners over the age of 18, unless written permission has been received by the minor's parents or guardian prior to their arrival. All permissions are documented;
- ELE providers ensure that parents or the legal guardians of learners receive the emergency telephone number;
- Learners who are minors and homestay providers are made aware of rules, e.g., curfew times, evening outings etc., which must be observed;
- Learners who are minors and who are part of a group are provided with the names and contact details of the group leaders; group leaders are provided with the names, addresses and contact details for each of their learner's homestay provider.

1.2 Facilities at a homestay provider

The following facilities are made available for each student:

- a comfortable bed with adequate space;
- weekly change of bed linen;
- adequate space for clothes storage;
- reasonable laundry services or access to a washing machine;
- desk and chair in bedroom for private study or access at all times to another room suitable for studying;
- access to bathroom, bath or shower;
- adequate heating, lighting and ventilation.

Note: It is recommended that only one student of any mother tongue be hosted at a time at one homestay provider.

2 Residential accommodation

- ELE providers have current formal agreements and terms and conditions in place with all residential accommodation providers;
- Prior to the establishment of an agreement, residences are visited and inspected by the ELE provider staff member responsible for accommodation in order to assess their suitability. All inspections are documented;
- Residences are visited and inspected by the ELE provider at least once a year, and when a change of circumstances is identified, e.g., refurbishment or extensions. All inspections are documented;
- It is the ELE provider's responsibility to ensure that the residential offer is suitable for ELE learners and that there is enough space for learners to live and study comfortably;
- All records are securely maintained by the provider according to GDPR legislation;

- All residence owners/managers are fully acquainted with the provider terms and conditions regarding the provision of accommodation services, including booking and cancellation procedures;
- Residences comply with the statutory requirements of local authorities in planning, construction, water and sewage, and fire safety.

2.1 Residences

- are appropriate to the needs and requirements of international learners and are well maintained throughout all buildings;
- have correct insurance cover;
- have adequate provision for student health and safety;
- are available for self-catering where appropriate.

In the case of learners under the age of 18 staying in residences, ELE providers ensure that adequate supervision, i.e., at least a ratio of 1 supervisor : 20 learners, is in place 24 hours per day, and that this supervision is carried out by a Garda-vetted member of staff.

3 Information about other accommodation not offered by the provider

In the case where ELE providers offer accommodation information services, information is made available to learners regarding:

- accommodation agencies and websites;
- hotel, bed and breakfast and hostel accommodation.

(Please see Appendix Six for details on Garda Vetting requirements and procedures.)

APPENDIX SIX: RESOURCES FOR ELE PROVIDERS

1 National legislative requirements and guidance

- 1.1 Intellectual property rights: It is the responsibility of the provider to ensure that all appropriate licences, e.g., copyright licences, are in place and displayed as required by the terms of the licence(s) at the centre. All staff members should be familiar with these. The agency responsible for copyright licences is the Irish Copyright Licensing Agency: [Home | Irish Copyright Licensing Agency \(icla.ie\)](https://www.icla.ie)
- 1.2 Employment rights: It is the responsibility of the ELE provider to ensure all staff have the appropriate employment rights accorded to them. The state agency with the remit to address employment issues such as complaints or apparent breaches of national legislation is the Workplace Relations Commission: [Workplace Relations Commission](https://www.wrc.ie)
- 1.3 Planning permissions and fire safety certification: It is the responsibility of the relevant local authority to advise on planning permission requirements for educational purposes, and/or refer the ELE provider to the relevant agency regarding fire safety requirements and certification: [Local Authorities](https://www.localauthorities.ie)
- 1.4 Fair treatment of learners, staff, and stakeholders: It is the responsibility of the ELE provider to ensure that there is no discrimination on grounds of race, religion, gender, disability or sexual orientation. The state agency responsible for complaints and breaches in this area is the Irish Human Rights and Equality Commission: [Irish Human Rights and Equality Commission](https://www.ihrec.ie)
- 1.5 Data protection: it is the responsibility of the ELE provider to ensure that proper data protection systems are in place and that these are in line with GDPR requirements. The Data Protection Commission is responsible for this: [Data Protection Commission](https://www.dataprotection.ie)
- 1.6 Garda vetting disclosures: ELE providers must meet requirements regarding education placements, internships, accommodation, employment, and activities for minors who are studying or working with the provider. Please see national legislative requirements related to pastoral care of minors: [National Vetting Bureau](https://www.nvb.ie)
- 1.7 Consumer Protection Act 2017: it is the responsibility of the ELE provider to meet requirements in relation to the supply of goods and services, and advertising: [Advertising Standards Authority for Ireland](https://www.advertisingstandardsauthority.ie)
- 1.8 Protected Disclosures Act gov.ie - Protected Disclosures Act: [Information for Citizens and Public Bodies \(www.gov.ie\)](https://www.gov.ie)

2 International codes of practice and quality assurance

Australia

Australian Government, Department of Education, Employment, and Workplace Relations (2007) National Code of Practice for Providers of Education and Training to Overseas Students 2018: [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

National English Accreditation Service (NEAS) [National English Accreditation Service](#)

The Netherlands

Dutch Code of Conduct with respect to international students in Dutch higher education (Revised 2022): [Code of Conduct international student higher education](#)

South Africa

International Education Association of South Africa, Code of Ethical Practice in the Provision of Education to International Students by South African Higher Education Institutions: [Code of Ethical Practice in the Provision of Education to International Students](#)

New Zealand

New Zealand Qualifications Authority (NZQA) (2021), International Code of Practice: [The Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#)

United Kingdom

Accreditation UK (British Council in partnership with English UK): [Accreditation UK handbook](#)

United States of America

The Accrediting Council for Continuing Education & Training (ACCET): [Accrediting Council for Continuing Education & Training](#)

Commission of English Language Programme Accreditation (CEA): [The Commission on English Language Program Accreditation](#)

Canada

Languages Canada, Languages Canada's Quality Assurance Framework: [Quality Assurance Framework](#)

Malta

ELT Council Malta: [ELT Council | Fostering the ELT Profession & Industry](#)

3 International quality assurance schemes

International Association of Language Centres, Code of Ethics: [Code of Ethics](#)

Evaluation and Accreditation of Quality Language Services (Eaquals): [Eaquals](#)

European Bodies

European Association for International Education (EAIE), International Student Mobility Charter: [The International Student Mobility Charter | EAIE](#)

Eurobarometer: [Eurobarometer – Public opinion in the European Union \(europa.eu\)](#)

4 Ethical marketing and recruitment

The London Statement [london_statement.pdf \(britishcouncil.org\)](#).

British Universities' International Liaison Association, Code of Ethical Practice for UK Education Agents: [National-Code-of-Ethical-Practice-for-UK-Education-Agents.pdf \(buila.ac.uk\)](#).

APPENDIX SEVEN: RESOURCES FOR LEARNERS

1. Citizens Information: a national agency responsible for supporting the provision of information, advice, and advocacy to the public on the broad range of social and civil services: [Citizens Information](#)
2. Department of Education and Skills: [Department of Education](#)
3. Department of Justice: [Department of Justice](#)
4. Education in Ireland; information on studying in Ireland: [Education in Ireland](#)
5. Europass: an initiative which aims to help learners ensure their skills and qualifications are clearly and easily understood in Europe: [Europass](#)
6. European Qualifications Framework: a common reference framework which assists in comparing the national qualifications systems, frameworks, and their levels: [The European Qualifications Framework \(EQF\)](#)
7. Irish Council for International Students: an independent organisation advocating for the rights of all international learners in Ireland: [Irish Council for International Students | ICOSabout:blank](#)
8. Irish Department of Justice Immigration Service Delivery: information for non-EU/EEA learners: [Immigration Service Delivery](#)
9. National Framework of Qualifications: a 10-level system used to describe qualifications in the Irish education and training system: [National Framework of Qualifications](#)
10. Irish Register of Qualifications: public confirmation of the formal, technical relationship between a qualification and the National Framework of Qualifications: [Irish Register of Qualifications](#)
11. Qualifications Recognition: information on the academic recognition of foreign qualifications in Ireland: [NARIC Ireland Foreign Qualifications](#)
12. Qualifax: the National Learner's Database which provides Information on further and higher education and training courses: [QualifaX National Learners database](#)
13. SOLAS: the Further Education and Training Authority in Ireland, responsible for funding, planning and co-ordinating training and further education programmes: [SOLAS](#)
14. Student Finance: source of information on financial support for further and higher education: [Student Finance | Funding, Governance and Performance](#)

APPENDIX EIGHT: GLOSSARY OF ABBREVIATIONS, ACRONYMS, AND TERMS

Academic Manager: an academic manager is defined as a member of staff who is responsible for academic management at an ELE provider. This may mean management of an entire academic department, management of a part, or parts, of an academic department, such as academic administration, teacher training, teacher development, young learners and teens, groups and examinations. Academic manager roles/titles may include, but are not limited to, the following: Principal, Head of School, Director of Studies, Academic Director/Manager, Assistant Director of Studies, Young Learner and Teens Coordinator, Group Coordinator/Manager, Examinations Coordinator/Manager, Head of Teacher Training, Head of Teacher Development.

(Please see requirements for academic managers in Appendix Four.)

Centre: Definition of 'centre' in the context of ELE: an ELE provider's main centre is defined as the premises where the main administrative and academic functions and teams are located. The main centre may operate out of one or more buildings within the same town or city but an ELE provider may only have one main centre within one town or city. Administrative and academic functions and teams must be replicated in each building as appropriate to learner and staff needs. A temporary centre is defined as a centre that is used at certain times of the year e.g., during the summer, whether within the same town or city or in another town or city in the state. Administrative and academic functions and teams must be located at temporary centres as appropriate to learner and staff needs. Temporary classrooms are defined as spaces that are suitable for temporary ELE provision as required. Administrative and academic functions and teams appropriate to learner and staff needs must either be located in the same building as the temporary classrooms, or at the main centre. Temporary classrooms must be located within a 1km distance from the main centre. Any centre that is located in another town or city to the main centre is defined as a separate centre.

CEFR: Common European Framework of Reference for Languages

The Council of Europe publication, *Common European Framework of Reference: Learning, teaching, assessment* (2001:1) describes the CEFR thus:

"The Common European Framework provides a common basis for the elaboration of language syllabuses, curriculum guidelines, examinations, textbooks, etc. across Europe. It describes in a comprehensive way what language learners have to learn to do in order to use a language for communication and what knowledge and skills they have to develop so as to be able to act effectively. The description also covers the cultural context in which language is set. The Framework also defines levels of proficiency which allow learners' progress to be measured at each stage of learning and on a life-long basis. The Common European Framework is intended to overcome the barriers to communication."

Education agent (also known as recruitment partner and consultant): an education agent is an individual or organisation commissioned by an ELE provider to advise prospective international students on its programmes and assist them with the

application process.

ELE: English Language Education

ELT: English Language Teaching

FE: Further Education

IFY: International Foundation Year Programme (also known as International Foundation Programme)

HE: Higher Education

IEM: International Education Mark

ILEP: Interim List of Eligible Programmes

A mechanism managed by the Department of Justice Immigration Service Delivery that identifies ELE and HE programmes for the purpose of recruiting non-EU/EEA/Swiss learners on programmes of longer than 12 weeks' duration. The ILEP is not a quality assurance process and the inclusion of a provider's programmes on the ILEP does not represent engagement with a quality assurance process. The ILEP will ultimately close once the international education mark is fully implemented.

Induction: induction comprises a series of activities conducted by ELE providers with new students, which serve to welcome the students; introduce them to the structures and processes of the provider; ensure familiarity with the facilities and services offered by the providers; and inform them where they can obtain guidance and support during their time as a student.

IRQ: Irish Register of Qualifications

This is QQI's database of awards, providers, and programmes. It draws its information from the same database that underpins QBS and QHub. Changes in either of those will be reflected in the IRQ.

NARIC: National Academic Recognition Information Centre

QQI's NARIC service provides advice on the academic recognition of foreign qualifications in Ireland with comparability statements for each qualification listed available to download by learners.

NFQ: National Framework of Qualifications

The Irish National Framework of Qualifications (NFQ) is a 10-level system used to describe qualifications in the Irish education and training system. The NFQ shows how General Education Awards, Further Education and Training and Higher Education Awards are mapped against the 10 levels of the framework. QQI is responsible for developing and maintaining the NFQ.

PEL: Protection of Enrolled Learners

Protection of Enrolled Learners (PEL) aims to safeguard a learner's academic journey. It refers to arrangements made for specific programmes to ensure that a learner can complete the programme that they have begun if for any reason their programme is no longer offered by their provider.

QA: Quality Assurance

Quality Assurance (QA) is what an organisation does to ensure that the product(s) it makes or the service(s) it provides, are as good as they need to be to meet customer needs and expectations.

SOLAS (Further Education and Training Authority): The role of SOLAS is to fund, coordinate, and monitor further education and training provision in Ireland. It funds the Education and Training Boards (ETBs) and other providers of public further education and training. It is also a provider of craft apprenticeship programmes as well as other construction industry-related training

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