

<b>Document Name and Version</b>	<b>6.13 Learner Protection Policy</b>
<b>Policy Number</b>	6.13
<b>Approval Body</b>	Board
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<b>Date of Review</b>	2025
<b>Revisions</b>	

## **1. Preamble.**

1.1. The Qualifications & Quality Assurance (Education & Training) Act 2012 requires that a provider has arrangements in place for the protection of enrolled learners (PEL) on programmes of three months duration or more where monies have been paid by, or on behalf of the learner, to a provider. Accordingly, IICP College has learner protection arrangements in place with respect to enrolled learners on all QQI validated courses of three months or longer.

## **2. Scope.**

2.1. The policy applies to IICP College programmes accredited by QQI and includes both academic bonding as well as financial bonding.

## **3. Policy.**

3.1. As a provider of programmes which are subject to section 65(1) of the Qualifications and Quality Assurance (Education and Training) Act 2012, IICP College is required to ensure that all enrolled learners may complete their course of programme, or are refunded their fees.

3.2. The HECA Protection for Enrolled Learners Scheme (HECA PEL Scheme) was formed by 12 members of HECA (including IICP College) and is fully approved by Quality and Qualifications Ireland (QQI). The HECA PEL Scheme provides that in the event of any member ceasing to offer the programme before completion, for any reason, enrolled learners may transfer to a similar programme at another provider, or, if this is not practicable, the fees most recently paid will be refunded. In accordance with Section 65 of the Act, arrangements are in place with at least two providers for each programme.

3.3. IICP maintains bonding PEL arrangements with at least two alternate providers of similar programmes, in line with its PEL policy, through membership of the HECA (Higher Education and Colleges Association) PEL Scheme. The agreements with other providers which underpin these PEL arrangements are designed and developed in line

with QQI's Protection of Enrolled Learners: Protocols for the Implementation of Part 6 of the 2012 Act.

3.3.1. The agreements are documented in detail in the IICP College HECA PEL Action Plan. Copies of the Action Plan are retained by the College, the bonding providers, and the HECA PEL Oversight Committee (HPOC).

3.3.2. The purpose of the HECA PEL Oversight Committee (HPOC) is to oversee the application of the conditions specified within the Contract for the HECA PEL scheme. It is primarily responsible for ensuring the PEL Actions Plans agreed bi-laterally between the Protected College and the Protecting Colleges are in accordance with the terms of the HECA PEL Scheme.

3.3.3. The action plan provides for encrypted copies of the College's records to be placed with an independent custodian and updated three times per year, namely after September's enrolment, after each Exam Board. The custodian has irrevocable instructions to release the records to the Protecting College(s) upon the occurrence of a trigger event but only for the purposes of the HECA PEL Scheme. The action plan indicates which of the Protecting Colleges will provide academic bonding. IICP College maintains a hard drive of learner information, as per the Action Plan, with our lawyers, Gleeson McGrath Baldwin. HECA's lawyers, Whitney Moore, Solicitors, maintain an encrypted key (password) to the hard drive. Whitney Moore also has irrevocable instructions to release the encryption key to the Protecting Colleges upon occurrence of a Trigger Event.

3.3.4. IICP College has established a trust fund governed by a trust deed and pays 2% per annum of fee income from QQI validated courses into its trust. An Auditor's Certificate is required to support the adequacy of each College's annual contribution.

3.4. Enrolled learners are those who have registered for a course and includes those who have paid a deposit for a course, including those who have deferred.

3.5. Details of the arrangements for Protection of Enrolled Learners that the College has in place, in accordance with Section 65(4) of the 2012 Act, are made available to prospective learners on the College website and in all programme handbooks.

3.6. IICP College is aware of its responsibility to ensure that relevant learner records, data and relevant institutional information can be transferred to the alternative providers and QQI. To this end the College ensures that the required data protection processing principles for such a transfer are adhered to.

#### **4. Procedures.**

4.1. PEL arrangements will be activated if IICP College ceases to provide a QQI programme of education and training of three months' duration or longer where monies have been paid for or on behalf of the learner for that programme of study. Enrolled learners may transfer to a similar programme at the Protecting Colleges, or, in the event that this is not practicable, the fees most recently paid will be refunded

4.2. The College President and the Registrar will inform QQI and the Protecting Colleges, The Custodian and HECA's solicitors, that there is a need to activate the PEL arrangements.

4.3. The College will agree with QQI and the Protecting Colleges processes and timeframe for transfer of the relevant data and records.