

## 7 APPENDICES

### 7.1 Appendix 1: Guidelines on the drafting of Memoranda of Agreement/Understanding

#### 7.1.1 Memoranda of Agreement (MOA)

The Memorandum of Agreement should assure that 'on-the-job' and 'off-the-job' training provision and associated services are provided in a streamlined manner and in compliance with QQI QA guidelines, awarding body requirements and the policies of the statutory regulator, funding bodies and with other parties with legitimate requirements.

#### 7.1.2 General arrangements

- a) establish and specify the partnership/consortium (indicating the partners, including identifying the Coordinating Provider and the designated address for communication);
- b) ensure that processes are in place by which partners might leave the partnership and new partners might be admitted;
- c) ensure that the rights and obligations of all partners are clear;
- d) agree terms of MOA and MOU between Coordinating Provider and other partners;
- e) ensure that the nature of the services to be performed by each partner is clear;
- f) specify the scope of the agreement and the relevant programme and the award that it will lead to and the awarding body;
- g) establish the period of the agreement;
- h) establish the conditions under which the agreement will be reviewed and under which it will be renewed;
- i) provide for the amendment of the agreement;
- j) ensure that the entities (normally the Coordinating Provider and employers of apprentices) that learners can hold legally liable for any deficiencies in the provision of education and training, are made clear;
- k) specify any limitations on liability and provide for mutual indemnification;
- l) provide for the resolution of disputes arising in respect of the agreement;
- m) provide for the termination or suspension of the agreement (setting out the conditions under which this can be done) having regard for learners concerned;
- n) ensure that appropriate arrangements are in place for the protection of apprentices and in all cases for residual obligations to learners on termination of the agreement;

- o)* ensure that appropriate arrangements are in place for the protection of apprentices in cases where an individual partner cannot fulfil its obligations;
- p)* name the jurisdiction within which the agreement is enacted and should be interpreted;
- q)* ensure that a process is in place for addressing disputes in respect of the agreement, including any perceived breaches of the agreement and grievances by learners and involved employees;
- r)* oblige partners to participate in the programme review/accreditation/validation process required by the apprenticeship awarding body and to comply with any conditions that are attached to review/accreditation/validation;
- s)* establish quality assurance procedures for the programme and require partners to cooperate and participate in the quality assurance procedures and in related quality evaluations, whether internal or externally organised, while ensuring that quality assurance procedures applying to the collaborative programme are recognised as meeting the requirements of the awarding body;
- t)* provide for the apprenticeship awarding bodies to monitor the quality and standards of the programme and associated services;
- u)* collect and maintain the information required by external quality assurance agencies or for national or European agencies such as the Europass Diploma Supplement;
- v)* require that partners encourage and make provision for cooperation between their staff in respect of the programme.

### **7.1.3 Financial arrangements (subject to the terms and conditions of the relevant funding body)**

- w)* specify the entity, normally the Coordinating Provider, that is accountable for the funds disbursed to the consortium;
- x)* state financial arrangements that
  - i)* address the distribution of any funds allocated to the programme;
  - ii)* assure each partner's capacity to account for income and expenditure involving the consortium;
  - iii)* meet all legal requirements in all of the involved jurisdictions;
  - iv)* make adequate provision for protection for learners as described under paragraphs m) and n).

## 7.2 Appendix 2: Consortium Steering Group Example

### 7.2.1 A Consortium Steering Group (CSG)

The Consortium Steering Group comprises all of the apprenticeship programme's key stakeholders including employers, occupational associations, any occupational regulators and the Coordinating Provider.

The role of the CSG is to ensure that the apprenticeship programme conforms to, and evolves with, the requirements of the occupation. Its purpose is to ensure that the apprenticeship programme is enterprise-led and meets labour market needs. This requires that programme graduates fit the autonomous occupational role assigned to them. The CSG acts as the 'guardian' of the occupation, performing the critical role, in conjunction with the statutory regulator, of coordinating employers involved in the programme. It should also act to bring together the employers, the Coordinating Provider and the other providers who are involved in the programme.

In conjunction with the statutory regulator, the CSG should ensure that the critical element of 'on-the-job' training is maintained and delivered at the appropriate standard with the specified learning outcomes and that it is implemented effectively by employers and by the Coordinating Provider.

It acts as a liaison between employers and the Coordinating Provider at a broad level. Where necessary it will deal with and report to the statutory regulator, the relevant funding body and QQI, and where appropriate with occupational bodies.

It will act with the Coordinating Provider in a spirit of partnership. In its operation it will respect the statutory autonomy of the Coordinating Provider, its responsibilities to maintain academic standards and to deliver programmes as agreed with the validating authority. The CSG will interact closely with the coordinating and other providers' academic programme boards and management, to ensure a holistic administrative and educational structure and delivery, creating a seamless unified on- and off-the-job learning experience for the apprentice learner.

### 7.2.2 The composition of the Consortium Steering Group

The composition of the Consortium Steering Group will depend on the range of the occupation and the nature of the enterprises that are involved in the occupation. The composition should have the following characteristics:

- a) It will be chaired by a person of authority from an enterprise or the community of practice involved in the occupation.
- b) It will have a majority of persons from enterprises, or employers' associations, or the community of practice, or relevant professional bodies.
- c) The enterprise members will be representative of the range of enterprises involved. Where enterprises employing apprentices include large and small employers there should be appropriate representational balance between the SME sector and the larger enterprises.

- d) The Coordinating Provider and other off-the-job providers will be members of the CSG.
- e) The Coordinating Provider should normally provide the secretariat for the CSG although this arrangement could be varied if necessary.

### 7.2.3 The role of the Consortium Steering Group

The Consortium Steering Group (CSG) will:

- a) Ensure, with the Coordinating Provider, adequate consultation with stakeholders in the development, delivery and review of the programme.
- b) Develop systems that ensure that employers and labour market trends influence and lead curriculum development, while providing for learners' personal development and their preparation for progression.
- c) Respond to regional and national actual and forecast demand for the programme to ensure that it is demand driven rather than supply driven, taking into account funding and supply constraints.
- d) Ensure that potential apprentices, the public and employers have accurate information on the programmes and on the occupation.
- e) Support and develop the marketing of the occupational profile.
- f) Support career guidance initiatives and the development of the apprenticeship "brand".
- g) Develop, in consultation and agreement with providers, employers and other relevant stakeholders such as occupational bodies, and in accordance with national norms, binding memoranda of understanding or memoranda of agreement which commit all parties to a process of implementation of the agreements.
- h) Coordinate with the statutory regulator and employers to ensure (i) that recruitment of apprentices takes into account the knowledge, skill and competence necessary to complete the programme (ii) the effective and efficient training of apprentices within the workplace.
- i) Seek to ensure that recruitment and delivery arrangements adequately support equity and inclusion of underrepresented societal groups on programmes and provide appropriate learning support for these groups.
- j) Ensure there is a system in place to evaluate and review employer training capacity and to liaise with the Coordinating Provider in order to address any gaps in that capacity.
- k) Liaise, as requested, with the statutory regulator and its authorised officers in exercising its statutory authority to approve new employers who wish to recruit and train apprentices, and to remove employers who are deemed no longer to have the capacity to provide sufficient training to enable achievement of the programme learning outcomes.

- l)* Ensure that there are systems in place for smoothing surges and collapses in occupational recruitment and for responding to redundancy of individual apprentices.
- m)* Ensure that there is a system in place to allow orderly expansion of provision which can add employers and collaborating providers of education and training.
- n)* Organise periodic occupational reviews and ensure that the findings are taken into account in subsequent reviews of the programme.
- o)* Organise periodic reviews of the operation of the CSG itself and its membership and ensure that the findings are taken into account in the development of the CSG and the governance of the programme.
- p)* Ensure that the development and operation of apprenticeship provision for the occupation conforms to principles of good governance and to the processes, systems and requirements of the statutory regulator, the funding bodies, the education and training institutions, the occupational body, QQI and any other relevant parties.

Depending on the resources available to it, the CSG may arrange for some of the roles above be carried out by the Coordinating Provider.