



National Commission for
**Further and
Higher Education**
Malta



MINISTRY FOR EDUCATION AND EMPLOYMENT

Manual of Procedures for Provider Licensing and Programme Accreditation

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1. PURPOSE

The licensing of educational entities providing accredited or recognised further and/or higher courses is a legal requirement as per Subsidiary Legislation (SL) 327.433 'Further and Higher Education (Licensing, Accreditation and Quality Assurance) Regulations'. In fact, provider licensing means that the educational institution has the formal acknowledgement issued by the National Commission for Further and Higher Education (NCFHE) in accordance to this Subsidiary Legislation, of the status, legitimacy and appropriateness.

This manual does not merely replicate the regulations provided in SL 327.433 and its amendments, and takes these regulations as read. The intention of the manual is to explain and illustrate the procedures undertaken by the NCFHE to implement these regulations in terms of the accreditation of entities and courses, thus providing transparency to all service users.

Together with this manual and SL 327.433, providers should be familiar with the NCFHE communications on licensing and accreditation which may be accessed through http://ncfhe.gov.mt/en/services/Pages/All%20Services/communications_accreditation.aspx

The NCFHE may issue more detailed guidelines from time to time pertaining to the accreditation procedure.

2. DEFINITIONS

SOP	Standard Operating Practices
Board	The Board of the National Commission for Further and Higher Education
CEO	Office of the Chief Executive Officer, NCFHE
ENIC	European Network of Information Centres in the European Region
EQA	External Quality Assurance
EQAA	External Quality Assurance Audits
EQF	European Qualifications Framework
IQA	Internal Quality Assurance
MQF	Malta Qualifications Framework
MQRIC	Malta Qualifications Recognition and Information Centre
NARIC	National Academic Recognition Information Centres in the European Union
NCFHE	National Commission for Further and Higher Education
QA	Quality Assurance
QAC	Quality Assurance Committee
SL	Subsidiary Legislation

3. OVERVIEW OF THE ACCREDITATION PROCEDURES

The important aspect within the process of licensing and accreditation is that any educational institution wishing to deliver further and higher education programmes must be licensed with the NCFHE. This means that any educational providers offering programmes that are mapped to the Malta Qualifications Framework (MQF) must be licensed.

Courses are referred to as **'accredited'** when they have been assessed by the NCFHE and pegged to the MQF. Courses are referred to as **'mutually recognised'** when the NCFHE recognises that foreign qualification is pegged to the European Qualifications Framework (EQF). This means that accreditation in its home country has already been undertaken by peer institutions on the ENIC-NARIC network.

The process of accreditation for Further and Higher educational providers is a two-pronged procedure:

1. Provider Accreditation; and
2. Programme Accreditation/Recognition.

3.1 Exemptions

The only exemption to the above is with regards to tuition centres. The NCFHE may license an educational provider as a tuition centre on the basis that it has met the eligibility criteria. However, such an educational institution does not deliver or award courses that are mapped to the MQF.

A further exemption is provided within SL 327.433. Article 6 stipulates that providers providing the following types of programmes do not require a license issued under these regulations in order to provide such programmes:

- a. short programmes or courses which lead to a certificate of attendance;
- b. continuous professional development programmes or courses which are regulated by professional accreditation bodies;
- c. any type of programme which is not intended to be classified within the Malta Qualifications Framework or a recognised foreign qualifications framework;
- d. programmes developed and provided by a company for proprietary purposes, or provided by other bodies or entities on its behalf, and for exclusive use within that company, which proprietary purposes shall be reflected in the name of the certificate or other type of award obtained upon successful completion of that programme.

4. RESPONSIBILITIES

The procedures in this MOP distinguish between the following important functions within the NCFHE:

- » The **NCFHE Board** (referred to in the MOP as Board), that considers recommendations made by the Quality Assurance Committee through the CEO NCFHE;
- » The **Chief Executive Officer** (CEO) of the NCFHE, that ensures the effective implementation of the decisions and policy direction of the NCFHE Board;
- » The **Quality Assurance Committee** (QAC), which also includes any sub-committee or panel the QAC may set up;
- » The **Head of Accreditation Unit** that reports to the CEO of the NCFHE and ensures the effective implementation of the decisions and policy direction of the Accreditation Unit.
- » The **Head of Quality Assurance Unit** that reports to the CEO of the NCFHE and ensures the effective implementation of the decisions and policy direction of the Quality Assurance Unit.
- » The **Accreditation Officers** that report to the Head of Accreditation Unit and are responsible for the effective implementation of the accreditation process and its validation.
- » The **Administrative Executive** NCFHE that reports to the Head of Accreditation Unit and acts as first point of contact of the applicants wishing to obtain accreditation and the updating of the list of Licensed Institutions and Accredited Courses. The Executive Officer also assists Head of Accreditation by providing him/her regular status updates of the accreditation process.
- » The **External Accreditation Specialist** is appointed by the NCFHE on part time basis to assist Accreditation Officers in the effective implementation of the accreditation process.
- » The **External Programme Evaluators** are appointed by the NCFHE on service contract and entrusted to review programme and or institution to provide expert advice and recommendations for the NCFHE on the accreditation or otherwise of application.

5. CATEGORIES OF LICENCES

As from September 2012, all providers of Further and Higher education in or from Malta require a license issued by the NCFHE to operate in or from Malta. Each category of license has to have criteria in place in order to be granted a license within the specified category.

Provider licensing is granted by the Commission upon application by the provider in one or more of the following categories:

5.1 University

The NCFHE will only consider accredited higher education institutions to be eligible for University status if the following criteria are established:

- a) higher education, teaching, research and dissemination of knowledge are the primary activities of the higher education institution;
- b) the higher education institution has
 - i. academic staff; and
 - ii. an academic library; and
 - iii. stable research training or stable research and development activities of a high standard;
- c) the higher education institution has representative bodies of staff and students;
- d) the higher education institution has an organisation and infrastructure for providing higher education and undertaking research;
- e) the higher education institution provides programmes which lead to national qualifications classified at a combination of either Malta Qualifications Framework levels 5, 6, or 7, or foreign qualifications at a comparable level, in at least four fields, and also has independent competence in setting up the components of such programmes and an independent right to award degrees with respect to such programmes;

- f) the higher education institution provides programmes which lead to national qualifications classified at Malta Qualifications Framework Level 8, or a foreign qualification at a comparable level, and also has independent competence in setting up the components of such programmes and an independent right to award degrees with respect to such programmes; and
- g) the higher education institution is affiliated with international networks in connection with higher education and/or research and participates in national and international cooperation in teaching and/or research.

Provided that an accredited HEI shall be eligible to apply for University status if the Commission considers that such application is in the national interest and in fulfilment of national policies, on the basis of a different combination of higher education qualifications other than those indicated in sub-regulations (e) and (f) above.

Application for university status shall be subject to an evaluation by a panel of experts and such evaluation shall comply with the following:

- a) It shall include consideration of any offshore activities of the applicant Higher education institution which are required to meet relevant regulatory and reporting requirements in Malta.
- b) Where the evaluation by the expert panel makes a proposal to the Commission for or against the granting of University status, the report of the evaluation shall clearly state the reasons for this.

5.2 Higher Education Institution

New, unlicensed or established providers of Higher Education are eligible to be licensed as a 'Higher Education Institution' if they meet the following criteria:

- a) For eligibility for a license as a Higher education institution to be issued, a provider must be a body corporate.
- b) A license as a Higher education Institution is granted to providers who deliver programmes or modules that are self-awarded or otherwise and that have been formally accredited at Level 5 or higher of the Malta Qualifications Framework or a foreign qualification at a comparable level.

- c) Providers licensed solely as Higher education institutions are prohibited from delivering Further education programmes (Levels 1-4) and must only offer programmes or modules that have been formally accredited onto a recognized local qualifications framework (Level 5 or Higher) or a foreign qualification of a similar title at a comparable level.
- d) Providers licensed as Higher Education Institutions are proscribed from using the word 'University' in any media, advertising, published material or promotional material intended for intending students or members of the general public. However, providers licensed as Higher Education Institutions are allowed to use the term 'University' when referring to a programme being delivered in conjunction with a licensed university or an overseas university by means of a joint programme or otherwise.

5.3 Further Education Institution

New, unlicensed or established providers of Further education are eligible to be licensed as a 'Further education institution' if they meet the following criteria:

- a) For eligibility for a license as a Further education institution to be issued, a provider must be a body corporate.
- b) A license as a Further Education Institution is granted to providers who deliver programmes or modules that are self-awarded or otherwise, which lead to a national qualification on the Malta Qualifications Framework classified at Levels 1 to 4 or a foreign qualification at a comparable level.
- c) Providers licensed solely in this category are prohibited from delivering courses that have been classified on the Malta Qualifications Framework as being higher than Level 4 or a foreign qualification at a comparable level.
- d) Licensees licensed in this category are proscribed from using the terms 'Higher' or 'university' in any part of their name and the term 'university', 'degree', 'masters', 'master' or 'Higher' in any title or with reference to any programme provided or award conferred by them.

5.4 Further Education Centre

New, unlicensed or established providers of Further education are eligible to be licensed as a 'Further education centre' if they meet the following criteria:

- a) A new, prospective or established provider is only eligible for a license to be issued under the category of 'Further Education Centre' if the provider is an individual and not a body corporate.
- b) A new, prospective or established provider can only be licensed as a Further education centre if they deliver accredited Further education programmes that are not self-awarded.
- c) Providers licensed solely in this category are prohibited from delivering courses that have been classified on the Malta Qualifications Framework as being higher than Level 4 or a foreign qualification at a comparable level.
- d) Licensees licensed in this category are prohibited from using the terms 'Higher' or 'university' in any part of their name and the term 'university', 'degree', 'masters', 'master' or 'Higher' in any title or with reference to any programme provided or award conferred by them.

5.5 Tuition Centre

New, unlicensed or established providers of Further education are eligible to be licensed as a 'Tuition Centre' if they meet the following criteria:

- a) A new, prospective or established provider is eligible for a license to be issued under the category of 'Tuition Centre' if the provider is an individual or a body corporate.
- b) A new, prospective or established provider can only be licensed as a Tuition Centre if they deliver education programmes that are not accredited and are not part of compulsory schooling.
- c) Providers licensed solely in this category are prohibited from delivering courses that have been classified on the Malta Qualifications Framework or a foreign qualification at a comparable level.
- d) Licensees licensed in this category are prohibited from using the terms 'Higher' or 'university' in any part of their name and the term 'university', 'degree', 'masters', 'master' or 'Higher' in any title or with reference to any programme provided or award conferred by them.

6. THE PROCESS FOR PROVIDER LICENSING

6.1 New Application

- a) Submission of application on generic email accreditation.ncfhe@gov.mt using appropriate application form downloaded from www.ncfhe.gov.mt
- b) Subsequent to the settlement of the first instalment of the fee (50%) by applicant the Administrative Executive will:
 - i. inform the applicant that the application is being processed,
 - ii. assign a unique identification number to the application, and
 - iii. forward the application to the appropriate NCFHE Accreditation Officer.
- c) NCFHE Accreditation Officer proceeds with the internal due diligence procedures in which particular attention is given to:
 - i. the accredited programmes which the applicant will be providing (with the exception of Tuition Centres);
 - ii. the qualifications of the Head of School and the academic staff;
 - iii. the premises being used as a centre for Further and Higher education; and
 - iv. forwarding the IQA manual to the QA Unit for their consideration.
- d) In parallel, the QA Unit will evaluate the Internal Quality Assurance (IQA) document of the entity and submit its considerations to the Accreditation Unit. More information on the IQA requirements is available in the Quality Assurance Framework for Further and Higher Education available at: www.ncfhe.gov.mt
- e) The NCFHE Accreditation Officer will review the recommendations of the QA Unit and inform the applicant accordingly.
- f) If the application lacks some information or contains mistakes, the NCFHE Accreditation Officer asks the applicant to amend accordingly.
- g) This feedback cycle of the accreditation process (points c-f) will be concluded within **25 working days** following submission of the entire documentation required and internal confirmation of payment.
- h) The applicant will have **20 working days** to submit the requested amendments to the application.

- i) The correctness of the application is verified once again. If necessary this process is repeated up to a maximum of two feedback cycles are permitted.
- j) In exceptional circumstances a third cycle of feedback may be permitted, if the relevant Accreditation Officer or designate is:
 - i. aware of the applicants goodwill in modifying application; and
 - ii. notices improvements in the application between the first and second cycle;
 - iii. the QA Unit judged the IQA submitted by the applicant to be acceptable with minor changes.
- k) If the application is filled in correctly, all due diligence issues are addressed, and at least one programme has been accredited (Tuition Centres are exempted from programme accreditation), the application is forwarded to the Head of Accreditation and CEO NCFHE for their consideration.
- l) If approved, the applicant is forwarded invoice to settle second instalment of the fee (50%).
- m) In case the payment is not effected 2 additional reminders are sent to applicant.
- n) Once payment is confirmed, the Administrative Executive will issue the license which is then reviewed and signed by the NCFHE and applicant legal representative. The accredited provider is then listed on the NCFHE list of Licensed Institutions and Accredited Courses.
- o) If, in spite of reminders, the payment is not made, the application is rejected.

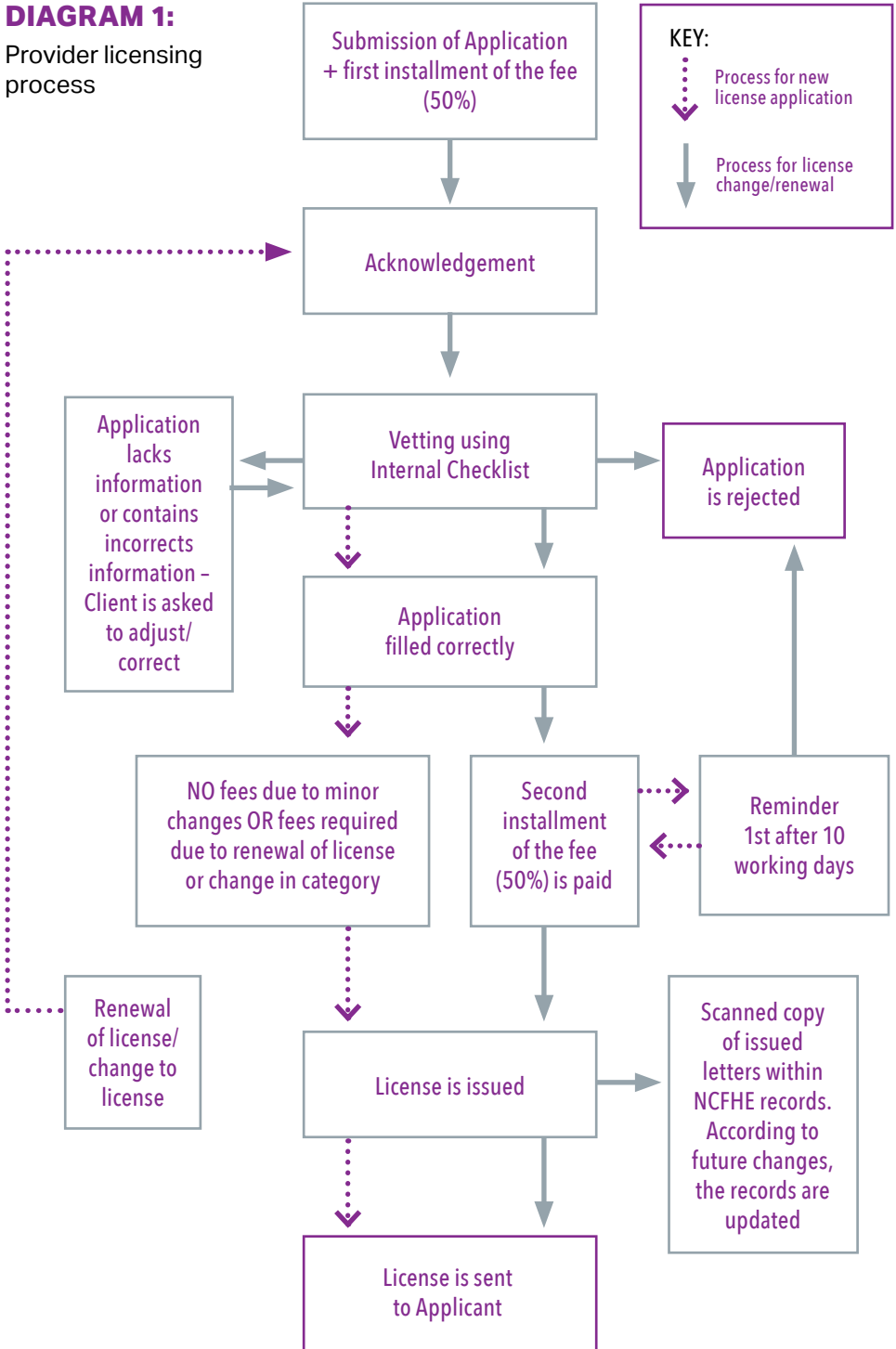
The NCFHE may issue more detailed guidelines and update this manual from time to time as to the accreditation procedure.

For a diagrammatic representation of this process refer to Diagram 1.

6.2 Changes to License and/or Conditions

- a) Provider informs the NCFHE using generic email accreditation.ncfhe@gov.mt of any change to license information or conditions.
- b) Should major changes be required, that is:
 - i. from provisional to full license, and
 - ii. to change provider category, the current administrative fees apply.

DIAGRAM 1:
Provider licensing process



- c) If fees apply, the first instalment of the fee (50%) is made.
- d) On settlement of fees due by applicant the Administrative Executive will:
 - i. Inform applicant that the application is being processed and
 - ii. Forward application to the appropriate NCFHE Accreditation Officer.
- e) If proposed application change lacks information or contains incorrect information, NCFHE Officer contacts applicant to amend it. The appropriateness of the application is verified once again.
- f) If the application is filled correctly and requires major changes, the applicant is asked to pay the second instalment of the fee (50%) where applicable.
- g) In case the transfer is not made, reminders are sent to the applicant.
- h) If, in spite of reminders, the payment is not made, requested change is rejected.
- i) Once payment is confirmed, revised license is issued and sent to the NCFHE and applicant legal representative to be reviewed and signed. The revised provider accreditation is included in the NCFHE online list of Licensed Institutions and Accredited Courses.

The NCFHE may issue more detailed guidelines and update this manual from time to time as to the accreditation procedure.

6.3 Renewal of License

- a) Entities providing further or higher education in Malta require a license issued by the NCFHE to operate. This license carries an expiry date and local providers are expected to contact the Accreditation Unit within the NCFHE via email 1 month prior its expiry.
- b) Applicant needs to apply for license renewal within the stipulated time period.
- c) Renewal of License is followed by new vetting process, as indicated in Section 6.1 above.

The NCFHE may issue more detailed guidelines and update this manual from time to time as to the accreditation procedure.

7. DUE DILIGENCE FOR PROVIDER LICENSING

The NCFHE issues licenses for Further and Higher Education providers on the basis of:

1. the qualifications of the head of school and the academic staff,
2. the premises being used as a centre for Further and/or Higher education, and
3. the Internal Quality Assurance (IQA) system of the entity. (*More information on the IQA requirements is available in the Quality Assurance Framework for Further and Higher Education*)
4. the accredited programmes they will be providing (except for Tuition centres),

Applications for University accreditation require additional due diligence. Please refer to Section 7.4.

7.1 Qualifications of Academic Staff

The NCFHE issues licenses for new, established or unlicensed providers of Further and Higher Education once it is satisfied that the Head of school and the academic staff employed by the provider are in possession of the relevant qualifications that enable them to fulfil their defined role in the educational institution. The Commission is aware of the fact that certain Heads of school or members of the teaching body in the vocational sector might not be in possession of formal qualifications and would, in such cases, ask for a Curriculum Vitæ to be submitted as evidence that the applicant has sufficient knowledge and competence of the specific field s/he will be lecturing in gained via informal and non-formal learning.

Even prior to the setting up of the Malta Qualifications Council (MQC), the accepted practice in Malta has been that, generally speaking, the tutor or lecturer of a course¹ would have qualification/s of an MQF Level that would be higher than the course itself. This is the principle with which the accreditation of courses has been processed by the MQC and, since 2012, by the NCFHE. The following regulations are intended to serve as guidelines for providers. In all cases, the NCFHE reserves the right to determine particular requirements on a case-by-case basis.

1. 'Courses' refers to any full or partial programme of studies that is accredited or is in the process of being accredited.

1. Academic courses pegged at MQF Levels 1 – 5 require tutors² who are qualified at least with a relevant degree or equivalent at MQF Level 6.
2. In addition to point 1 above, mainstream academic courses³ require tutors who are in possession of a valid Teacher's Warrant issued or otherwise recognised by the Council for the Teaching Profession as per the Education Act.
3. Vocational courses at MQF Levels 1 – 4 require tutors who are qualified at least with a relevant full qualification at Level 5.
4. Vocational courses at MQF Levels 5 and 6 as well as academic courses at Levels 6 and 7 require tutors who have a full relevant qualification at least one Level up from the course being provided.
5. In the case of vocational courses up to level 5, when there is clear evidence that the local market does not provide tutors of the required qualification level, the NCFHE will consider proposals for twinned provision, namely that in which a highly-experienced and effective tutor with a lower qualification level is mentored by a colleague with a qualification at the appropriate level, who is preferably also involved in co-delivery, to ensure that the required level of learning outcomes, delivery and assessment is maintained. Such proposals would have to indicate clearly the role of the mentoring tutor, what relevant documentation is being retained to substantiate this role and how this documentation is being used for IQA purposes.

7.2 Premises

The Commission must ensure that all learning is delivered from safe premises that do not pose any physical threats to students and teachers of Further and Higher Education, and are in line with all the relevant planning regulations. Thus, the Commission asks new, established and unlicensed providers, to provide a plan view drawing of the premises which will be used and the MEPA Compliance Certificate confirming that these premises are suitable for use as a Further and Higher educational institution.

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2. 'Tutors' refers to any lecturer, tutor, teacher or other person providing tuition of any kind, including supervised and distance learning.
 3. i.e. similar in content to those provided in Malta's schools, VI Forms and Junior College.

New, unlicensed and established providers of Further and Higher education must equip their premises with the necessary resources required for different kinds of training, for example, fully operational ICT laboratories, science labs and workshops to heighten the quality of training. Premises of Further and Higher Education must also be equipped with a physical or virtual library, canteen, recreational spaces and study areas as appropriate for the intended learning.

To streamline the process of provider accreditation, and especially to facilitate the process of approval for entities that do not have a fixed venue because of the nature of their provision, the NCFHE is issuing the following regulations with respect to the compliance of regulation for use of venue.

The NCFHE distinguishes between:

- a) internal provision: regular provision within approved premises,
- b) external provision: provision that takes place exclusively or for a significant proportion in the open air due to the nature of the provision itself, e.g. scuba diving, abseiling, camping, fire-fighting, etc.,
- c) home provision: provision that takes place at the provider's home due to specific circumstances approved on a case-by-case basis by the NCFHE: e.g. teaching of music or academic subjects to small groups, etc.

a) Internal Provision

1. The building parameters may be covered through the below documentation:
 - a) a Planning Authority compliance certificate is required; or
 - b) documentation from the Planning Authority confirming that the premises is in compliance with regulations for the purposes of tuition, or
 - c) a Planning Authority's Development Permit specifying the timeframe within which such development must be completed. The Planning Authority's 'Full Development Permission' must be accompanied by an action plan, drawn by the provider, clearly identifying specific targets and completion deadlines. This should also include:

- i. a certificate signed by an architect and civil engineer relating to the safety of any building or structure, including any temporary structures; and
 - ii. a certificate signed by a mechanical or electrical engineer regarding the safety of any mechanical or electrical installation, as the case may be, including any temporary installation;
2. If the tuition includes minors, then the National Minimum Conditions for schools (1994) apply.
3. If the premises are old and cannot have Planning Authority documentation as per the point above, a health and safety report that includes sanitation and fire safety is required every two years. This report is carried out at the expense of the applicant. In such cases, the license issued would be valid for two years, and the license fee, which normally covers accreditation for five years, is calculated pro-rata.
4. Sports grounds are considered venues for internal provision.
5. Local councils, licensed schools including English language schools, functioning sports venues, functioning religious venues (youth centres, church halls etc.) and functioning hotels are deemed to be fit for purpose for regular tuition that would normally be held in such venues. Applicants need only a letter of authorisation from the hosting venue. The NCFHE shall have the power to decide whether a particular venue is fit for purpose for the particular proposed tuition. In such cases, the NCFHE may request a planning compliance certificate as part of its due diligence.
6. Any venue that is subject to criminal investigation or Planning Authority's regulatory action is disqualified as an eligible venue for accredited provision.

b) External Provision

1. A health and safety report is required for every external venue used. This report is carried out at the expense of the applicant and must be accompanied by an action plan, drawn by the provider, clearly identifying specific recommendations and completion deadlines.
2. However, if the external venue proposed already has planning permits for educational use, the venue is treated in the same manner as with internal provision.

c) Home Provision

1. A health and safety report that includes sanitation and fire safety is required every two years. This report is carried out at the expense of the applicant and must be accompanied by an action plan, drawn by the provider, clearly identifying specific recommendations and completion deadlines.
2. Provider licenses with home provision shall have a limit on the number of learners at any one time on the premises, which shall be determined by the size of the room used for tuition. This must have a minimum of two (2) square meters of space per learner, and shall not accommodate more than 10 learners at any one time.

7.3 The Internal Quality Assurance (IQA) System of the Entity

Entities applying for the accreditation of provider are also obliged to present an internal quality assurance document, outlining their policies for quality assurance, in line with the 11 standards as per the National Quality Assurance Framework.

It is strongly recommended that providers are to present an Internal Quality Assurance document that is realistic and viable. Entities are reminded that this Internal Quality Assurance document will be the one of the main documented being evaluated during the External Quality Assurance Audits undertaken by the NCFHE.

Additional documentation on the National Quality Assurance Framework is available in separate NCFHE documentation www.ncfhe.gov.mt

7.4 Due Diligence for the Eligibility for University Status in accordance to Article 47

The provider accreditation procedure for applicants of licenses for universities is governed by SL 327.433 Article 47. Prior to the consideration of the license application itself, which follows the procedure set out in Section 6.2, the eligibility of the applicant needs to be considered in terms of the seven tests of eligibility set out in the Regulation.

When an application for university accreditation is received, the following procedure is followed:

1. Submission of application on generic email accreditation.ncfhe@gov.mt using appropriate application form downloaded from www.ncfhe.gov.mt
2. Payment of first instalment of the fee (50%).
3. Following internal confirmation of the settlement of fees due by the applicant the Administrative Executive will:
 - a. inform applicant that the application is being processed, and
 - b. assign a unique identification number to the application, and
 - c. forward application to the Chair of the Quality Assurance Committee (QAC), the Head of Accreditation Unit and to the appropriate NCFHE Accreditation Officer.
4. NCFHE Accreditation Officer proceeds to the internal due diligence based on the requirements of the Application Form giving particular attention to:
 - a. the accredited programmes which they will be providing (except for Tuition centres);
 - b. the qualifications of the head of school and the academic staff;
 - c. the premises being used as a centre for Further and Higher education; and
 - d. the internal quality assurance (IQA) system of the entity. More information on the IQA requirements is available in the Quality Assurance Framework for Further and Higher Education available from www.ncfhe.gov.mt

The applicant will also be requested to fill in a questionnaire elaborating on the requirements of Regulation 47 (Annex 1).

5. The Chair of the Quality Assurance Committee (QAC) then consults with the CEO of the NCFHE, and Head of Accreditation NCFHE on the membership of the Panel that will review the application for university application.
6. The minimum number of Panel members is three suitably qualified and experienced academics, and it is chaired by a member of the QAC. The QAC considers the proposed Panel membership and approves or otherwise.
7. The outcomes of the initial administrative verification conducted by the Accreditation Officer are submitted to the Panel for its consideration.
8. The Panel may request the applicant to provide any additional information it deems fit, which may include interviews with the applicant and/or third parties.

9. Once the additional information is presented, the panel conducts an evaluation exercise in order to determine whether the application for a university meets the requirement outlines in S.L 327.433 Article 47 (Annex 3).
10. NCFHE may seek additional external expertise to carry out due diligence of the members of the body corporate, legal representatives and persons occupying headship positions to determine they are fit and proper persons.
11. At the end of its deliberations, the Panel will submit a written Report with its recommendations, which may include additional license conditions. The Panel will present a checklist with its recommendations (Annex 4). This checklist takes into consideration:
 - a. eligibility of the application in accordance with SL 327.433 Article 47,
 - b. management and financial probity in accordance with S.L 327.433 Article 39(3),
 - c. Quality Assurance Policy,
 - d. any additional documentation,
 - e. academic staff,
 - f. accredited courses,
 - g. premises.
12. The QAC takes due note of this Report, and may request the Panel to clarify or investigate further. The QAC then formulates its written recommendations to the Board, which may include license conditions.
13. The Board may endorse the recommendation of the QAC, or send it back to the QAC for reconsideration, explaining its reasons in writing. The final decision on the accreditation of university applications rests with the Board.
14. The applicant is forwarded invoice to settle second instalment of the fee (50%). The applicant will also be billed monthly the full costs of the review process till completion which includes the cost of the Panel.
15. In case the transfer is not made, reminders are sent to applicant.
16. If, in spite of reminders, the payment is not made, application is rejected.

17. Once payment is confirmed, the license is issued and sent to the NCFHE and applicant legal representative for review and endorsement. Provider accreditation is included in the NCFHE list of Licensed Institutions and Accredited Courses by the Accreditation Officer NCFHE.

7.5 Accredited Programmes

All education institutions, that are not self-accrediting, that are interested in offering programmes of studies which are accredited and pegged to the Malta Qualifications Framework (MQF) need to submit their prospective programmes to the NCFHE for accreditation.

Courses are referred to as 'accredited' when they have been assessed by the NCFHE and pegged to the MQF. Courses are referred to as 'recognised' when the NCFHE recognises that accreditation, including level pegging to the European Qualifications Framework, has already been undertaken by its peer institutions in other countries in the ENIC-NARIC network.

Additional details on programme accreditation are available in Section 8.

8. CATEGORIES OF PROGRAMME ACCREDITATION

8.1 Further Education Course/Programme

A full academic, vocational or professional course or programme which is of non-compulsory formal education, and is accredited by the Commission under these regulations, is defined as a further education course/programme. Such programmes lead to a national qualification classified up to and including Malta Qualifications Framework Level 4 or a foreign qualification at a comparable level. Such programmes would satisfy the minimum credits⁴ requirements set by the Commission in accordance with its functions as set out in the Malta Qualifications Framework for Lifelong Learning Regulations (SL 327.431).

8.2 Higher Education Course/Programme

A full academic, vocational or professional course or programme which is of non-compulsory formal education, training or research and is accredited by the Commission under these regulations as one which leads to a national qualification with the title of Degree, Certificate, Diploma or other similar title at Malta Qualifications Framework Level 5 or higher or a foreign qualification of a similar title at a comparable level. Such programme would satisfy the minimum credits⁵ requirements set by the Commission in accordance with its functions as set out in the Malta Qualifications Framework for Lifelong Learning Regulations (SL 327.431).

8.3 Higher Education Module

Part of a “higher education programme” offered by a provider, accredited by the Commission under these regulations, as a module and which serves to obtain, only in part, a national qualification at Malta Qualifications Framework Level 5 or higher or a foreign qualification at a comparable level.

4. Refer to National Commission for Further and Higher Education (2016). Referencing Report for Malta, 4th Edition, p.56

5. Ibid.

8.4 Approved Foreign Further Education Programme

An academic, vocational or professional programme of non-compulsory formal education which is accredited by a recognised foreign accreditation agency and leads to an award awarded by a foreign provider and a foreign qualification classified as comparable to a level up to and including Malta Qualifications Framework Level 4. This programme does not lead to a national qualification.

8.5 Approved Foreign Higher Education Programme

An academic, vocational or professional programme of non-compulsory formal education, training or research which is accredited by a recognised foreign accreditation agency and leads to an award awarded by a foreign higher education provider and a foreign qualification classified at a level comparable to Malta Qualifications Framework Level 5 or higher. This programme does not lead to a national qualification.

9. THE PROCESS FOR PROGRAMME ACCREDITATION

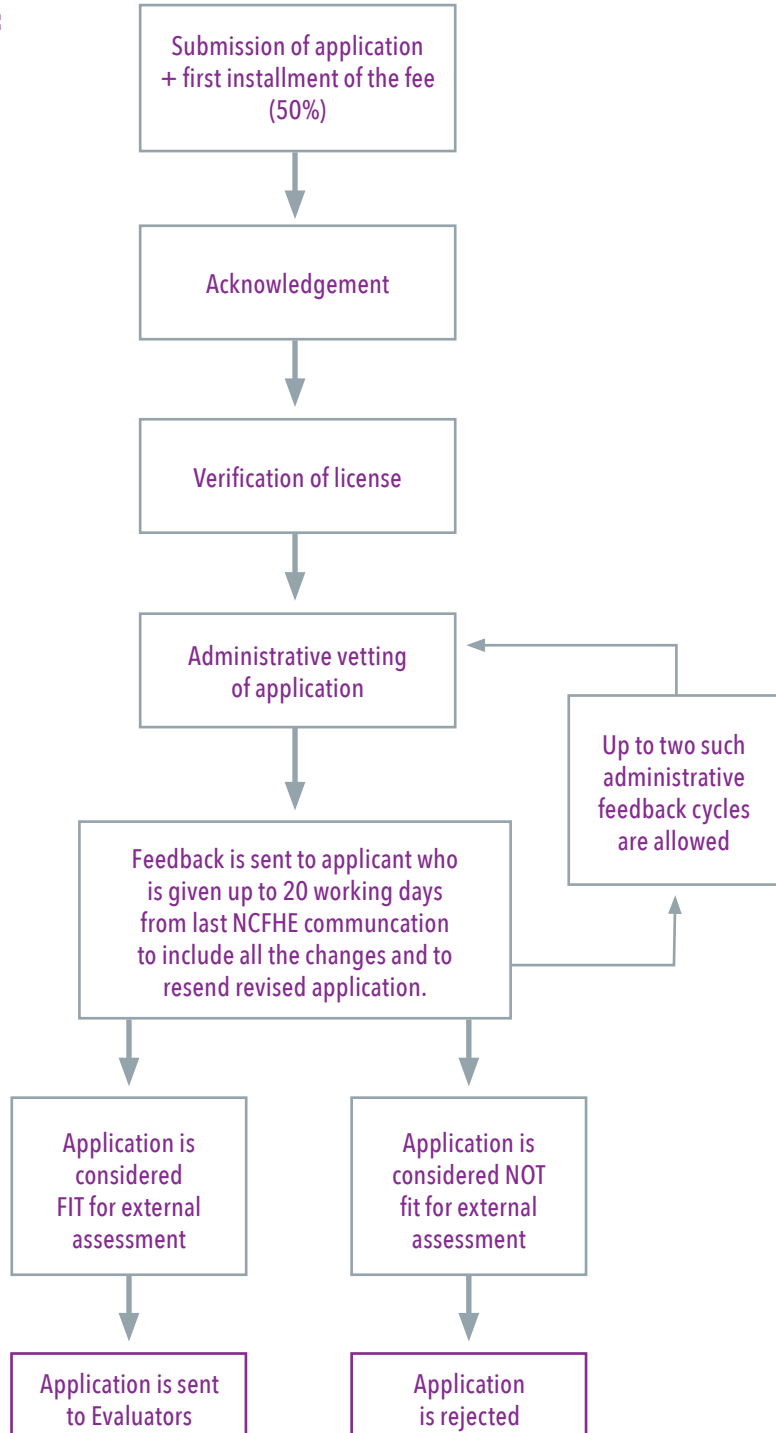
9.1 Guidelines for Programmes Seeking Accreditation at MQF Levels 1-5: New Application

- a) Submission of application on generic email accreditation.ncfhe@gov.mt using the appropriate application form downloaded from www.ncfhe.gov.mt
 - i. Verification that the applicant is accredited or has submitted an application for provider accreditation with NCFHE.
 - ii. Applicant will have **10 working days** to submit payment of the first instalment of the fee (50%) as per table below.
- b) Subsequent to the settlement of fees due by applicant the Administrative Executive will:
 - i. Inform applicant that the application is being processed, and
 - ii. Assign a unique identification number to the application, and
 - iii. Forward application to the appropriate NCFHE Accreditation Officer,
- c) The NCFHE Accreditation Officer or his delegate will take on responsibility of the process. The relevant NCFHE Accreditation Officer proceeds to the internal due diligence based on the requirements of the Application Form giving particular attention to:
 - i. the applicant having a valid Accreditation License.
 - ii. the applicant utilising the appropriate format in submitting application as provided in the NCFHE website www.ncfhe.gov.mt
 - iii. all sections of the application form were filled by the applicant, and
 - iv. the total prospective teaching hours tallies with the number of ECTS/ECVET indicated in the application form as prospected in the Referencing Report 2016 available at: www.ncfhe.gov.mt

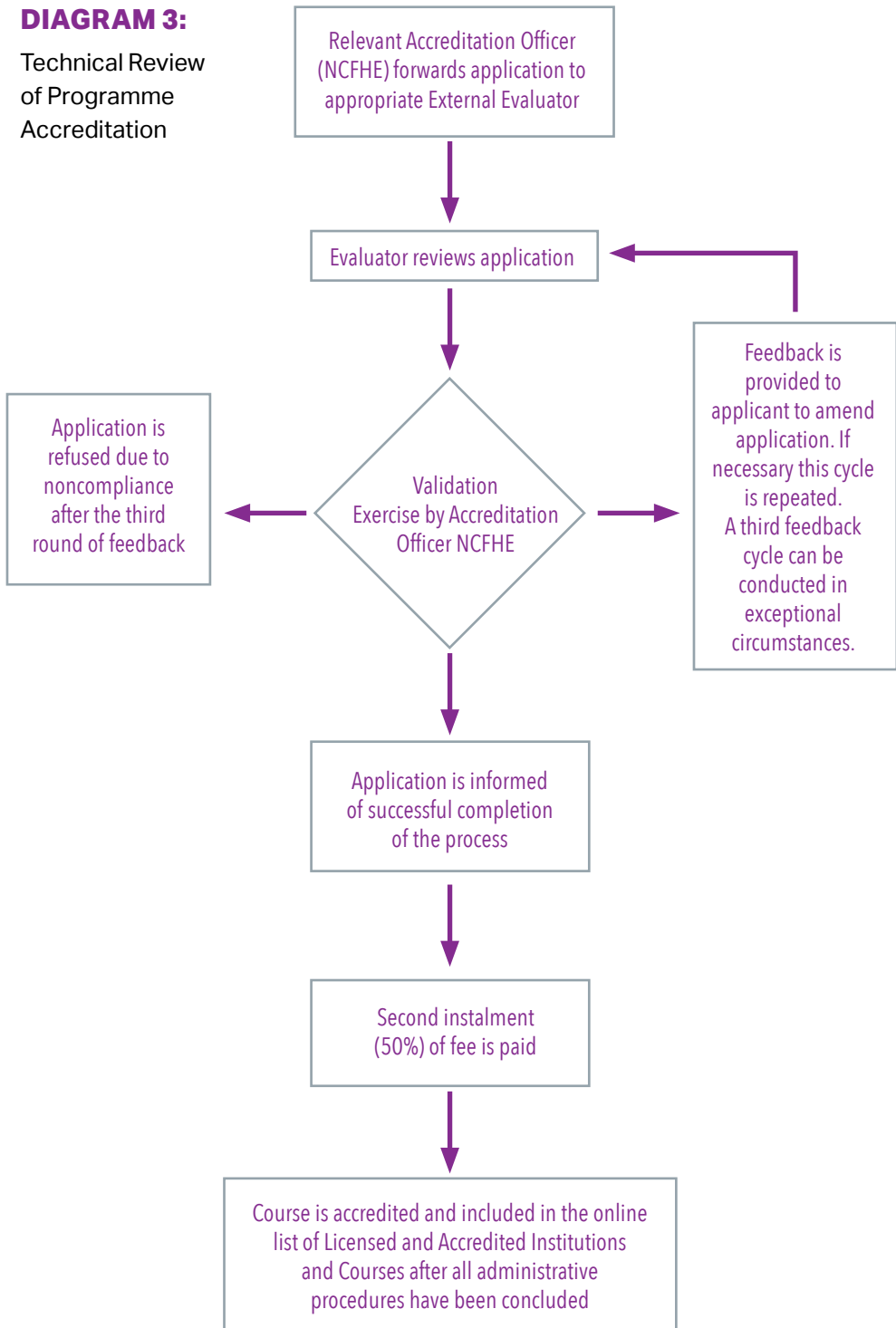
- v. the title of the course is appropriately referred to as Award or Qualification in line with the procedure indicated in the Referencing Report 2016 available at: www.ncfhe.gov.mt
- d) If the application lacks information or contains mistakes, NCFHE Accreditation Officer contacts applicant requesting amendments.
- e) The applicant will have **5 working days** to submit the amended application.
- f) The correctness of the application is verified once again. If the application is filled correctly and all due diligence issues are addressed, the relevant Accreditation Officer will initiate the technical evaluation of the course. An External Evaluator is selected to analyse the application and provide feedback. The length of time taken for the NCFHE to identify a suitable External Evaluator depends on the uniqueness or otherwise of the course and on the availability of the persons identified.
- g) The relevant Accreditation Officer will formally invite the External Programme Evaluator by email to review the application. Such e-mail will include as attachments:
 - i. the name of the course/programme, indication of the MQF Level and the ECTS value, together with the name of the provider/applicant,
 - ii. the template of evaluation sheet,
 - iii. an e-copy of the Referencing Report 2016,
 - iv. the acceptance and Confidentiality agreement,
 - v. the relevant Payment Structure.
- h) The Accreditation Officer will ensure that the External Evaluator selected has the knowledge, skills and competencies to effectively conduct the function assigned to him/her. The External Evaluator will submit the report to the NCFHE following the indications of the Referencing Report 2016 and guidelines provided by the NCFHE.

DIAGRAM 2:

Administrative
Review of
Programme
Accreditation



- i) Following acceptance in writing by the External Evaluator, the relevant Accreditation Officer will inform the applicant.
- j) The feedback cycle of the evaluation process will be concluded **20 working days** after the successful conclusion of the Administration Phase.
- k) Once the Evaluation Report is approved by the relevant Accreditation Officer NCFHE, it is forwarded to the applicant for their consideration and for the necessary amendments in the application, as applicable. The applicant will be given a maximum of **15 working days** to submit their revised application.
- l) A second round of technical evaluation might be required depending on the extent and nature of the revisions requested by the evaluator/s.
- m) In exceptional circumstances, a third cycle of feedback may be given, if the relevant Accreditation Officer or designated Officer/Expert is:
 - i. aware of the applicant's goodwill in modifying the application; and
 - ii. notices improvements in the application between the first and second cycle; and
 - iii. the External Evaluator judged the application to be **Acceptable with minor changes**.
- n) A third review cycle is initiated. However the maximum time allocated for each phase in this cycle is reduced to:
 - i. A maximum of **10 working days** for the evaluation of the programme;
 - ii. **10 working days** for submission of revised application by applicant;
 - iii. **2 working days** for issue of accreditation or otherwise by Accreditation Officer NCFHE.
- o) If the application is not deemed to have reached the required standard, the application is rejected.

DIAGRAM 3:**Technical Review
of Programme
Accreditation**

- p) If the course is approved for accreditation, the accreditation officer informs the Administrative Executive of the successful completion of the review process. The applicant is then informed by the Administrative Executive NCFHE about the finalisation of the programme accreditation and invoiced the second instalment amounting to 50% of administration fees.
- q) If the applicant does not settle balance due, the application within **10 working days** is rejected.
- r) Once payment is confirmed, the course is accredited. After all administrative steps are concluded, this is included in the online list of Licensed and Accredited Institutions and Courses available on **www.ncfhe.gov.mt**

The NCFHE may from time to time issue more detailed guidelines and update this manual as to the accreditation procedure.

TABLE 1:

Summary of administrative and technical programme accreditation steps

	DESCRIPTOR	RESPONSIBILITY	ACTION
ADMINISTRATION REVIEW OF PROGRAMME ACCREDITATION	Applicant sends application to NCFHE	Executive Officer	Sends acknowledgement and invoice to applicant
	Applicant sends application to NCFHE together with appropriate fee	Applicant	Sends acknowledgement on receiving application and appropriate fee
	Administration and data logging	Executive Officer	Application form is forwarded to the Accreditation Officer responsible
	Accreditation Officer conducts initial vetting of the General Information Section	Accreditation Officer	1 st vetting of application and feedback provided to applicant for remedial action if required
	Applicant modifies General Information Section of Application based on feedback provided	Applicant	Feedback will be provided to applicant if required
	Accreditation Officer selects and assigns an External Evaluator to review sections A & B	Accreditation Officer	Applicant is informed that the application is being processed
TECHNICAL REVIEW OF PROGRAMME ACCREDITATION	1 st review cycle of application form by External Evaluator and Review exercise	Accreditation Officer	Accreditation Officer follows progress, reviews feedback and forwards it to applicant
	Applicant modifies Sections A & B according to feedback provided	Applicant	To provide feedback if requested
	2nd review cycle of application form by External Evaluator and Review exercise	Accreditation Officer	Accreditation Officer follows progress, reviews feedback and forwards it to applicant
	Applicant modifies Sections A & B according to feedback provided	Applicant	Accreditation Officer provides feedback if requested
	3rd review cycle of application form by External Evaluator and Review exercise and accreditation issued if applicable	Accreditation Officer	Accreditation Officer follows progress and notifies applicant
	Applicant modifies Sections A & B according to feedback provided	Applicant	Accreditation Officer provides feedback if requested
	Review exercise by Accreditation Officer as applicable and accreditation issued if applicable	Accreditation Officer	Accreditation Officer will notify applicant
	Applicant settles due fees as appropriate	Applicant	Sends acknowledgement on receiving fee and updates online registry of accredited courses

9.2 Changes to Programme Accreditation

- a) Provider informs the NCFHE of any change to programme accreditation.
- b) E-mail shall include the final course description, with track changes indicating the amendments requested by the provider, and with each requested change a detailed justification for change must be submitted.
- c) The NCFHE Accreditation Officer will review the application and makes recommendations for the Head of the Accreditation Unit
- d) Where a proposed change does not materially impact the integrity of the accredited course, these are deemed to be minor changes. In such cases, the amendments are made and the applicant is duly informed. Administration fees as delineated by the NCFHE are applicable. Currently the Administration fees are waived. The Executive Officer will keep a record of all the changes requested and approved.
- e) Where a proposed change is deemed to potentially change the integrity of the accredited course, the Head of Accreditation is so informed. The Head of Accreditation may request a review by external persons to confirm or otherwise this decision. Once the decision is confirmed the applicant is then suitably informed and the process for Programme Accreditation as per Section 9 starts.
- f) In this case, the NCFHE tries first to use the services of the original external evaluator involved in the accreditation of the course. If this is definitively not possible, a new evaluator is selected, but the NCFHE ensures that there is a proper induction process for the new evaluator regarding the course and the request being made, to avoid misunderstandings.
- g) The process of re-accreditation of the course follows the established feedback cycles and final approval of accreditation as with new applications. Changes made in Level 7 courses have to be approved by the Quality Assurance Committee of the NCFHE.
- h) If application is filled correctly and requires major changes, the applicant is asked to pay the second instalment of the fee (50%) where applicable.

- i) In case the payment is not made, reminders are sent to applicant. 1st – after **10 working days**, 2nd – after a further **5 working days**.
- j) If, in spite of reminders, the payment is not made, requested change is rejected.
- k) Once payment is confirmed, a revised license is issued and sent to the applicant. Revised provider accreditation is included in the NCFHE online list of Licensed Institutions and Accredited Courses.

10. GUIDELINES FOR PROGRAMMES SEEKING ACCREDITATION AT MQF LEVELS 6-8

10.1 DRAFT Guidelines for MQF Level 6 Courses with 180 credits or more

The NCFHE is currently working on the guidelines for MQF Level 6 Courses. More information will be available at a later stage.

10.2 Guidelines for MQF Level 7 Courses

This document sets out guidelines of minimum requirements for the accreditation of Malta Qualifications Framework Level 7 (MQF Level 7) courses by the National Commission for Further and Higher Education (NCFHE). These guidelines are inspired by SL 327.433. In line with Malta's obligations as signatory to the Bologna Process and the Lisbon Recognition Convention, they are based on a three-cycle system of higher education, with one cycle typically leading to the next.

In the following guidelines, all references of MQF requirements include also equivalent EQF qualifications as duly recognised by the Malta Qualifications Recognition and Information Centre (MQRIC).

a) Categorisation of courses

The NCFHE recommends that the following terms may be used only as follows:

- i. **Post-Graduate Certificate:** At least 30 ECTS, of which not less than 25 must be at MQF Level 7,
- ii. **Post-Graduate Diploma:** At least 60 ECTS, of which not less than 40 must be at MQF Level 7,
- iii. **Master's Degree:** Typically at least 90 ECTS, of which not less than 60 must be at MQF Level 7, and including a dissertation, research project or research component/s of equivalent standard to which not less than 20 ECTS are assigned.

The NCFHE may consider exceptional requests for Masters' degrees that have less than 90 ECTS but not less than 60 ECTS. In such cases, not less than 60 ECTS must be at MQF Level 7. In such cases the dissertation, research project or research component/s of equivalent standard should still be not less than 20 ECTS.

MQF Level 7 courses that have less than 30 ECTS of which less than 25 ECTS are at MQF Level 7 may not use the words 'Certificate', 'Diploma', 'Post-Graduate Certificate', 'Post-Graduate Diploma' or 'Masters' in the title. MQF Level 7 courses that have less than 60 ECTS of which less than the established number of ECTS are at MQF Level 7 may not use the words 'Diploma', 'Post-Graduate Diploma' or 'Masters' in the title.

Minimum entry requirements

The aim of establishing minimum entry requirements for MQF Level 7 courses is to ensure that prospective students can pursue their selected course meaningfully and with profit. The minimum entry requirements for MQF Level 7 courses with more than 30 ECTS are as follows:

i. Post-Graduate Certificate:

- An MQF/EQF⁶ Level 6 degree, or
- A relevant MQF/EQF Level 5 award of at least 30 ECTS plus a portfolio evidencing at least two years of relevant work experience.

ii. Post-Graduate Diploma:

- An MQF/EQF Level 6 degree, or
- A relevant MQF/EQF Level 5 award of at least 60 ECTS plus a portfolio evidencing at least three years of relevant work experience.

iii. Master's Degree:

- A relevant MQF/EQF Level 6 degree at second class, or
- An MQF/EQF Level 6 degree plus a portfolio evidencing relevant work experience for at least 3 years, or
- An MQF/EQF Level 5 full qualification, AND a portfolio evidencing
 - » appropriate writing and analytical skills to ensure that the prospective candidate can fully and meaningfully participate in the course, and
 - » work experience at professional and/or executive level for at least 5 years.

6. The Malta Qualifications Framework (MQF) is equivalent to the European Qualifications Framework (EQF).

The NCFHE shall consider proposals for supplementary or preparatory programmes and other exceptional entry requirements on a case-by-case basis.

Where a student does not have the requisite language skills in terms of the language of instruction and assessment of the course, licensees shall set minimum language requirements not less than the equivalent of MQF Level 4 in the target language. Article 24 of SL 327.433 shall apply as relevant.

b) Minimum qualification requirements for tutors⁷

Courses at MQF Level 7 require tutors who have a full relevant qualification at least one Level up from the course being provided. Degrees and other courses at Level 7 need to have course/module coordinators with a full relevant qualification at Level 8. Such courses may include input from tutors that have a full relevant qualification at Level 7 and at least 10 years of relevant high level/ executive experience in the field, which needs to be specified in the application. The academic/theoretical aspects of such degrees still require input from tutors with a full relevant qualification at Level 8.

c) Minimum course requirements

Entities providing MQF Level 7 courses need to have in place the following minimum course requirements:

- The minimum amount of time required to complete the course, considering that the ECTS system is based on the convention that 60 credits measure the workload of a full-time student for one academic year;
- The maximum amount of time within which a student will be allowed to complete a course, given temporary suspension of studies and extensions to complete course requirements;
- Procedures for taking temporary suspension of studies;
- Procedures for granting extension for duration of course;
- Appropriate student information and support systems in line with the National Quality Assurance Framework for Further and Higher Education.

7. In this document, 'tutors' refers to any lecturer, tutor, teacher or other person providing tuition of any kind, including supervised and distance learning.

d) Minimum assessment requirements

- i. Any Master's degree must include a dissertation, research project or research component/s of equivalent standard to which not less than 20 ECTS are assigned.
- ii. Entities providing MQF Level 7 courses need to have in place an assessment policy that includes:
 - Descriptors for the range of grades/marks to be assigned per module/unit/for the whole course, as well as the final classification of the course;
 - Procedures for selection of dissertation tutors;
 - An Ethics Approval System and related committee to process all relevant research requests, including dissertations;
 - Procedures for dissertation, research project or research component/s of equivalent standard and other examining boards;
 - Procedures in case of plagiarism and other forms of misconduct;
 - Procedures for appeals.

e) Quality assurance requirements

All courses accredited at MQF Level 7 shall be subject to IQA and EQA requirements as per the National Quality Assurance Framework for Further and Higher Education. Additionally, all new MQF Level 7 courses will undergo course-based EQA after the first complete cycle of provision. However, the NCFHE shall retain the right to undertake spot-checks as required.

f) Compliance with FHE QA Framework

All the above requirements must be in compliance with the National Quality Assurance Framework for Further and Higher Education. In any case of conflict of interpretation, the Framework is considered to be the primary guiding document.

g) Accreditation procedure

Applications for MQF Level 7 courses are to use the Application Form provided on www.ncfhe.gov.mt After the internal verification of the form by NCFHE staff is carried out, MQF Level 7 courses with more than 30 ECTS are submitted to the Quality Assurance Committee (QAC) for initial evaluation. This initial evaluation shall include, but may not be limited to:

- Course entry requirements;
- Minimum qualifications for lecturers/tutors;
- Course assessment.

The first cycle of feedback sent to applicants shall include the outcomes of the initial verification by NCFHE staff and the initial evaluation of the QAC. Following the resubmission of the application, if it is fit for purpose in terms of the feedback sent, it is forwarded to external evaluators. The number of evaluators shall be as follows:

Post-Graduate Certificate	→	Two Evaluators
Post-Graduate Diploma	→	Two Evaluators
Master's degree	→	Three Evaluators

However, in all cases the number of evaluators shall in the final analysis depend on the complexity and variety of the modules of the course, and the range of expertise of the evaluators.

The evaluators shall issue one evaluation report. This consolidated evaluation report shall be sent to the applicants for feedback. The report with applicants' feedback is then reviewed by the QAC, and a decision taken accordingly. The QAC may recommend further improvements to the applicants before it is considered sufficiently robust to be recommended for approval to the NCFHE Board.

h) Distance-learning based courses

These requirements are generally applicable to distance-learning based courses as well. The NCFHE shall issue a separate document that will specify requirements for this category of courses.

i) Dual/joint courses

These requirements are generally applicable to dual/joint and distance learning courses as well. The NCFHE shall issue a separate document that will specify requirements for this category of courses.

10.3 DRAFT Guidelines for MQF Level 8 Courses

The NCFHE is currently working on the guidelines for MQF Level 8 Courses. More information will be available at a later stage.

10.4 Joint Courses

The NCFHE is currently working on the guidelines for joint courses. More information will be available at a later stage.

10.5 Distance and e-Learning

The NCFHE is currently working on the guidelines for Distance and e-Learning programmes. More information will be available at a later stage.

11. SELECTION PROCEDURE FOR EXTERNAL PROGRAMME EVALUATORS

The NCFHE sub-contracts External Programme Evaluators. This is done to ensure due diligence, transparency and quality during the accreditation process. External Evaluators are normally individuals who are deemed to have an expertise in the subject area of the programme being accredited or have the necessary pedagogical skills to evaluate the programmes submitted for accreditation.

External Programme Evaluators for programmes submitted shall be mainly selected with the following procedure:

- a) An open call is made in the media, inviting expressions of interest for inclusion in a Pool of External Evaluators.
- b) Applications to express interest may include the following information:
 - i. experience in providing evaluation in programme/course accreditation to NCFHE, self-accreditation entities in Malta or similar abroad;
 - ii. samples /URLs of personal report/technical/academic writing in English that has been published, peer reviewed or used in a work context;
 - iii. subjects/content areas and MQF Levels for which expression of interest is being submitted, with details of related qualifications and work experiences;
 - iv. for applicants indicating interest in providing service in Levels 6 to 8, contact details of two referees, who will be contacted in confidence by the NCFHE.
- c) These referees will be requested, amongst other things, to vouch for the following characteristics of the applicant:
 - i. academic integrity;
 - ii. English writing skills;
 - iii. ability to analyse, evaluate, infer, synthesise, and make academic judgements.
- d) Applicants for MQF Levels 6-8 that pass this administrative vetting and that receive positive references are presented to the QAC for confirmation of recommendation. The QAC may interview specific applicants to gauge their suitability to be included in the Pool.

- e) Other applicants for MQF Levels 1-5 pass through the administrative vetting. The NCFHE may interview specific applicants to gauge their suitability to be included in the Pool.
- f) All successful applicants are included in a database for future reference by the NCFHE.
- g) Selection from the pool for External Evaluators for course applications at MQF Levels 1-7 is at the discretion of the NCFHE according to the best fit between the application and selected reviewers. This may require selection of reviewers who have not applied to join the Pool, and who once selected are included in the Pool. All things being equal, and without prejudice to the priority to select the 'best fit' evaluators, different evaluators in the Pool will be used where applicable.
- h) Selection from the Pool for External Evaluators for course applications at MQF Level 8 is made by the QAC in consultation with the NCFHE, according to the best fit between the application and selected reviewers.

The choice of external evaluators may require selection of reviewers who have not applied to join the Pool, and who once selected are included in the Pool. All things being equal and without prejudice to the priority to select the 'best fit' evaluators, different evaluators in the Pool will be used where applicable.

12. ADMINISTRATIVE FEES FOR PROGRAMME AND PROVIDER ACCREDITATION

In line with article 34 (2)(h) of SL 327.433 "to charge fees to providers seeking any type of accreditation under these regulations, including costs related to any quality audit carried out under its responsibility", the National Commission for Further and Higher Education (NCFHE) charges administrative fees for education and training providers seeking accreditation.

The structure is based on a unit cost system and the fees will be on a sliding scale basis as follows:

for Provider Accreditation:

- the category of Provider's License as per Second Schedule of SL 327.433.

for Programme Accreditation:

- the MQF Level of the course or programme;
- the length of the course or programme, which can be measured in either the number of ECTS/ECVET points (which are an indication of the length of the course).

Please note that:

- An application will be considered as null and void if after three months no feedback is received from the applicant, who will in turn need to re-submit an application.
- Fees charged for provider accreditation shall be the same for both full (5 years) and provisional (1 year) licenses. These also apply every time a license or a programme is due for renewal.
- Fees paid are not refundable.

Once providers have filed their application with NCFHE to accredit an institution or course/programme, costs are calculated according to the pre-set criteria in Annex 1. Upon approval of the application, a payment of 50% of the total fee will be requested by the NCFHE's Finance Department via bank transfer. When the payment has been confirmed the process of accreditation will commence. When the accreditation process is finalised, providers will be asked to settle the remaining balance, which will be calculated according to the course structure ultimately accredited. Failure to settle the remaining amount will result in the application being revoked and the process would then have to recommence.

TABLE 2:

Fee Structure for provider accreditation

PROVIDER ACCREDITATION	PROPOSED MARKET PROVIDER FEE <i>The full costs incurred in the execution of financial due diligence as required under SL 327.433 will be payable by the applicant for the license.</i>
University	Application Fee €3,000 <i>Plus full costs of the review process till completion.</i>
Higher Education Institution Further and Higher Education Institution	Application Fee €1,000 <i>Plus full costs of the review process till completion.</i>
Further Education Institution	€250
Further Education Centre	€150
Tuition Centre	€150

TABLE 3:

Administrative fee structure per ECTS/ECVET for programme accreditation

PROGRAMME MQF LEVEL	THE FIRST 10 ECTS/ECVET <i>Fee per ECTS/ECVET</i>	11TH TO 30TH ECTS/ECVET <i>Fee per ECTS/ECVET</i>	ECTS/ECVETS ABOVE THE FIRST 30 <i>Fee per ECTS/ECVET</i>
Introductory A and B	€22	€10	€3
1 and 2	€22	€10	€3
3 and 4	€25	€14	€3
5	€35	€18	€6
6	€50	€20	€10
7	€75	€35	€16
8	€5000		

13. REGULATION OF TERMS

By the provision of Subsidiary Legislation 327.433, Regulation 53, the NCFHE is publishing these guidelines for the protection of the use of the terms, 'University', 'Higher Education Institution', 'Further Education Institution', and 'Further Education Centre'. The terms here shall be regulated and their restricted use shall be in line with provisions of SL 327.433 and parameters established below. Any institution that wishes to make use of these terms shall be obliged to be in contact with the NCFHE.

University

In the Maltese territory, the term 'University', and its equivalent translations, shall be used only by accredited institutions as determined in Subsidiary Legislation 327.433.

Anyone in the Maltese territory, as well as, all providers which were granted a license in the categories, 'Higher Education Institution' 'Further Education Institution' 'Further Education Centre' and 'Tuition Centre', shall refrain from using the following words in any media, advertising, published material, promotional material or in any information otherwise supplied to intending students, parents or the public:

- a) The word 'university' or any abbreviation or acronym of such, in any part of their name; and
- b) The word 'university' in any title of, or with reference to, any programme provided or award conferred by them.

Higher Education Institution

In the Maltese territory, the term 'Higher Education Institution' shall be used only by accredited institutions as determined in Subsidiary Legislation 327.433.

Higher Education Institutions shall not use the word 'University', or any abbreviation, or acronym, of such, in any media, advertising published material, promotional material or in any information otherwise supplied to intending students, parents or the public in relation to any part of their name or in any title of, or with reference to, any programme provided or award conferred by them.

Exemption: Such licensees shall not be prohibited from using the word 'university' in any title of, or with reference to, any programme, or part thereof, accredited in accordance with the Subsidiary Legislation or by the NCFHE and provided

by them in agreement with a licensed university or an overseas university, whether by means of a joint programme or otherwise. This proviso shall apply only where such programme has met the requirements for the Recognition of foreign qualifications and serve to obtain a national qualification at MQF Level 5 or higher and is awarded by a licensed university or a foreign qualification at a comparable level which is awarded by an accredited overseas university.

Further Education Institution

In the Maltese territory, the term 'Further Education Institution' shall be used only by accredited institutions as determined in Subsidiary Legislation 327.433.

Further Education Institutions shall not use the words 'Higher' or 'University', or any abbreviation, or acronym of such, in any media, advertising published material, promotional material or in any information otherwise supplied to intending students, parents or the public in relation to any part of their name. Furthermore, such providers shall not use the word 'University', 'degree', 'masters', 'master' or 'higher' or in any title of, or with reference to, any programme provided or award conferred by them.

Further Education Centre

In the Maltese territory, the term 'Further Education Centre' shall be used only by accredited institutions as determined in Subsidiary Legislation 327.433.

Further Education Centres shall not use the words 'Institute', 'Institution', 'Higher' or 'University', or any abbreviation, or acronym of such, in any media, advertising, published material, promotional material or in any information otherwise supplied to intending students, parents or the public in relation to any part of their name. Furthermore such providers shall not use the word 'University', 'degree', 'masters', 'master' or 'higher' or in any title of, or with reference to, any programme provided or award conferred by them.

Sanctions

By the authority vested to the NCFHE in Subsidiary Legislation 327.433, Regulations 5 and 5A, any provider which fails to comply with the above regulations shall be liable to an administrative fine not exceeding four thousand Euros (€4000). Furthermore, the NCFHE may impose an additional penalty not exceeding one hundred and sixteen euro and forty-seven cents (€116.47) for each day during which these regulations are transgressed.

ANNEXES

Annex 1: Questionnaire Based on Article 47

The applicant is requested to provide further information in as detailed a manner as required, in reply to the following questions. Where applicable, the applicant may simply refer to relevant URLs or to information already provided in the filled-in application for the accreditation of new entities.

In answering these questions, the applicant may also include consideration of any relevant offshore activities outside Malta of the institution in question.

1. In what way are higher education, teaching, research and dissemination of knowledge the primary activities of the applicant?
2. How can the applicant demonstrate that it has academic staff, an academic library, stable research training or stable research and development activities of a high standard?
3. Which are the applicant's representative bodies of staff and students, if any? Applicants needs to provide the relevant statutes/regulations and the description of each.
4. What is the organisation and infrastructure that the applicant has for providing higher education and undertaking research?
5. What independent competence does the applicant have in setting up the components of higher education programmes? What accredited programmes is the applicant already providing? Under which jurisdiction are these programmes accredited? Does the applicant have an independent right to award degrees with respect to such programmes?
6. To which international networks in connection with higher education and/or research is the applicant affiliated, if any? The applicant needs to provide details of such network/s.
7. How does the applicant participate in national and international cooperation in teaching and/or research? The applicant needs to provide information about the resultant activities as applicable.

Annex 2: Eligibility Adjudication Grid for University Accreditation Applications

Application for University Accreditation submitted by _____

REGULATION 47 CLAUSE ITEMS

YES

NO

COMMENTS

1. Only accredited higher education institutions (...) shall be eligible to apply for university status.

i. Applicant is an accredited HEI

1. (A) Higher education, teaching, research and dissemination of knowledge are the primary activities of the higher education institution.

i. "Primary activities" defined by strategic academic plan that is fit for purpose

ii. Applicant has sustainable budget that is fit for purpose

iii. Budget covers at least first cycle of longest accredited course at time of application

iv. "Primary activities" relate to institution, not to individuals

v. Applicant has strategic contractual relationship with third party

vi. Third party is accredited or recognised by NCFHE

vii. Third party is an established university or equivalent

viii. Contractual relationship is for the purposes of implementing applicant's academic plan

ix. Contract is of at least 5 years

x. Contract is in operation by the entry of first cohort of students

xi. Contract ensures due process for all QA procedures and integrity of outcomes in all core **administrative** operations of the applicant



xii. Contract ensures due process for all QA procedures and integrity of outcomes in all core **academic** operations of the applicant



1. (B) The HEI has academic staff, an academic library, and stable research training or stable research and development activities of a high standard.

i. Applicant has engaged or has concrete commitments to engage its core staff, or has confirmed access through strategic partnership) of such staff



ii. Such staff has an established and active academic reputation of a high standard



iii. Such staff shall be ready to give effective service in time for first cohort of students



iv. Applicant has, or will implement concrete and sustainable plans for a core physical library on site in Malta as well as access to appropriate e-resources of a high standard



v. Library shall be in place in time for the first cohort of students



vi. Applicant has accredited courses that include research training for students engaged in on-going research; **OR vii**



vii. Strategic partner as per 1(a) has peer reviewed and published research and development activities that are stable, on-going and in place at the time of application



1. (C) The HEI has representative bodies of staff and students.

i. Staff is represented in the structures of the entity through democratic processes



ii. Students are represented in the structures of the entity through democratic processes



1. (D) The HEI has an organisation and infrastructure for providing higher education and undertaking research.

i. Applicant has the human resources that are fit-for-purpose by the time that the first cohort is admitted	<input type="radio"/> <input type="radio"/>	
ii. Applicant has the physical resources that are fit-for-purpose by the time that the first cohort is admitted	<input type="radio"/> <input type="radio"/>	
iii. Applicant has the organisational resources that are fit-for-purpose by the time that the first cohort is admitted	<input type="radio"/> <input type="radio"/>	

1. (E) The HEI provides programmes which lead to national qualifications classified at a combination of either Malta Qualifications Framework Levels 5, 6, or 7, or foreign qualifications at a comparable level, in at least four fields, and also has independent competence in setting up the components of such programmes and an independent right to award degrees with respect to such programmes.

i. Applicant has internal capacity to draft and develop study programmes at MQF Levels 5-7 at the indicated MQF levels	<input type="radio"/> <input type="radio"/>	
ii. Applicant has at least four accredited or recognised qualifications at MQF Levels 5, 6, or 7	<input type="radio"/> <input type="radio"/>	
iii. Applicant has internal capacity to deliver such study programmes	<input type="radio"/> <input type="radio"/>	
iv. Applicant has internal capacity, with the support of strategic partner as per 1(a), to set up IQA systems for such programmes which satisfy the requirements of the National QA framework	<input type="radio"/> <input type="radio"/>	

1. (F) The HEI provides programmes which lead to national qualifications classified at Malta Qualifications Framework level 8, or a foreign qualification at a comparable level, and also has independent competence in setting up the components of such programmes and an independent right to award degrees with respect to such programmes.

i. Applicant has internal capacity to draft and develop study programmes at MQF Level 8 at the indicated MQF levels	<input type="radio"/> <input type="radio"/>	
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ii. Applicant has at least one accredited or recognised qualification at MQF Level 8	<input type="radio"/> <input type="radio"/>	
iii. Applicant has internal capacity to deliver such study programmes	<input type="radio"/> <input type="radio"/>	
iv. Applicant has internal capacity, with the support of strategic partner as per 1(a), to set up IQA systems for such programmes which satisfy the requirements of the National QA framework	<input type="radio"/> <input type="radio"/>	

1. (G) The HEI is affiliated with international networks in connection with higher education and/ or research and participates in national and international cooperation in teaching and/or research.

i. Applicant has such affiliations through strategic partnership as per 1(a) or other arrangements with accredited HEIs	<input type="radio"/> <input type="radio"/>	
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PROVISO: Provided that an accredited HEI shall be eligible to apply for University status if the Commission considers that such an application is in the national interest and in fulfilment of national policies, on the basis of a different combination of higher education qualifications other than those indicated in sub-regulations (e) and (f) above.

i. NOT APPLICABLE – applicant did not request activation of this proviso	<input type="radio"/> <input type="radio"/>	
ii. APPLICABLE – applicant requested activation of this proviso*	<input type="radio"/> <input type="radio"/>	

** If this request has been made, the QAC has a written declaration from the NCFHE Board acceding to this request, and on this basis, the QAC has set up the Evaluation Panel that is undertaking this eligibility adjudication. In this instance, points 1(E)ii and 1(F)ii above are amended with an explanation in the relevant 'comments' sections.*

DECLARATION BY PANEL

We, members of the Review Panel for this application for university accreditation, having taken cognizance of all the documentation presented by the applicant and ensured that the applicant is fully apprised of the requirements for such accreditation, consider that:

- The application for university accreditation is eligible for consideration.
- The application for university accreditation is NOT eligible for consideration.

COMMENTS:

PANEL MEMBERS

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Annex 3: University Accreditation Checklist and Recommendation

Application for University Accreditation submitted by _____

	YES	NO	COMMENTS
1. Eligibility of Application			
i. Application was eligible for consideration in terms of Regulation 47 of SL 327.433.	<input type="radio"/>	<input type="radio"/>	Please refer to Eligibility Adjudication Grid attached to this document.
2. Management and Financial Probity			
i. The applicant has successfully undertaken due diligence to ensure financial probity and sufficient capital to sustainably finance the proposed educational institution.	<input type="radio"/>	<input type="radio"/>	Please refer to outcome of due diligence by independent experts appointed by NCFHE, and attached to this document.
ii. The Business Plan, submitted by the applicant with respect to the proposed educational institution, has successfully undertaken due diligence to ensure that it is fit for purpose.	<input type="radio"/>	<input type="radio"/>	Please refer to outcome of due diligence by independent experts appointed by NCFHE, and attached to this document.
iii. The Head of the proposed educational institution is considered fit for purpose in terms of Regulation 11 of SL 327.433.	<input type="radio"/>	<input type="radio"/>	Please refer to declaration by the Legal Representative of the Applicant attached to this document.
iv. The Head of the proposed educational institution has suitable qualifications and experience to lead a university.	<input type="radio"/>	<input type="radio"/>	Please refer to CV of Head of proposed educational institution attached to this document.
3. Quality Assurance			
i. The applicant has a Quality Assurance Policy and Manual that are fit for purpose.	<input type="radio"/>	<input type="radio"/>	Please refer to Quality Assurance Review attached to this document.
4. Additional Documentation (in case of start-up university application)			
i. The applicant has an Academic Plan that is fit for purpose.	<input type="radio"/>	<input type="radio"/>	
ii. The applicant has a Policies and Procedures Manual that is fit for purpose.	<input type="radio"/>	<input type="radio"/>	

- iii. The applicant has an Academic Staff (Faculty) Handbook that is fit for purpose.
- iv. The applicant has a Students' Handbook that is fit for purpose.

5. University staff

- i. The applicant has the services of, - or has concrete plans and commitments- for the engagement of **academic staff** that are fit for purpose and fulfil the implementation of the applicant's Academic Plan.
- ii. The applicant has the services of - or has concrete plans and commitments -for the engagement of **key management personnel** that are fit for purpose and fulfil the implementation of the applicant's Academic and Business Plans.

6. Accredited courses

- i. In case of an applicant that is an established HEI or university with sufficient accredited provision abroad as per Regulation 47: The applicant intends to provide at least one HE programme in Malta that is accredited or recognised by the NCFHE.
- ii. In case of an applicant for a start-up university: The applicant intends to provide sufficient HE programmes in Malta, as per Regulation 47, that have already been accredited by the NCFHE.

7. Premises

- i. The applicant has premises, or has legal access to premises, that do not contravene Regulation 11 of SL 327.433 and are compliant with all relevant planning and building use regulations.
- ii. Such premises are fit for purpose to implement the Academic Plan of the Applicant.

DECLARATION BY PANEL

We, members of the Review Panel for this application for university accreditation, having taken cognizance of all the documentation presented by the applicant and ensured that the applicant is fully apprised of the requirements for such accreditation, recommend that, in terms of SL 327.433 regulating the accreditation of universities in Malta:

- the application for university accreditation is in line with the relevant regulations and fit for purpose, and therefore the applicant may be issued a license to operate as a Category 1 accredited (not self-accrediting) University as per the Second Schedule of the said Subsidiary Legislation.
- The application for university accreditation is presently NOT fit for purpose and requires significant amendments for it to be considered positively, as per comments below.
- The application for university accreditation is NOT fit for purpose and therefore the applicant should not be issued a license to operate as a University.

COMMENTS:

PANEL MEMBERS

Name: _____

Date: _____

Name: _____

Date: _____

Name: _____

Date: _____

Annex 4: Eligibility Requirements at a Glance

	CATEGORY OF LICENSE:						
	UNIVERSITY	HIGHER EDUCATION INSTITUTION	FURTHER AND HIGHER EDUCATION INSTITUTION	FURTHER EDUCATION INSTITUTION	FURTHER EDUCATION CENTRE	TUITION CENTRE	
1 Accredited Course	x	x	x	x	x		
2 Programmes that are self-awarded	x	x	x	x			
Programmes that are non-self-awarded		x	x	x	x		
3 Deliver Further Education Programmes			x	x	x		
Deliver Higher Education Programmes	x	x	x				
4 Head fit for purpose	x	x	x	x	x	x	x
Tutors fit for Purpose	x	x	x	x	x	x	x
5 Internal Quality Assurance Manual	x	x	x	x	x	x	x
6 Premises Compliance	x	x	x	x	x	x	x
7 Must be a body corporate	x	x	x	x			
8 Use of the term 'University'	x						
Use of the term 'Higher'	x	x	x				
Use of the terms 'degree', 'Master', 'Masters'	x	x	x				
Use of the term 'Further'			x	x	x		
Use of the term's 'Institute', 'Institution'	x	x	x	x			
9 All the criteria in Article 47 in SL 326.433	x						

ELIGIBILITY REQUIREMENTS

