

MFHEA COMMUNICATION MFHEA/05/2023

Title: Communication on the Teaching and Learning Venue/s
From: Head Accreditation, Validation and Quality Assurance, MFHEA
Date: 17/11/2023

This communication will come into force on 1st January 2024 and will supersede any other communications previously issued on the subject in title.

Any teaching venue utilised as an educational institution for the provision of any programmes of studies under the MFHEA's accreditation must adhere to all pertinent and applicable laws and regulations.

The MFHEA distinguishes between:

- ***internal provision:*** regular provision within an approved venue.
- ***external provision:*** regular provision within an approved premises that takes place exclusively, or for a significant proportion of time, in the open air due to the nature of the provision itself, within the approved venue.
- ***overseas provision:*** provision that takes place outside Malta.
- ***digital provision:*** provision that is provided through digital channels.

A. Internal provision

Those wishing to incorporate additional teaching and learning venues, or those in the initial application stage, are required to provide the following:

1. The premises dedicated to the **educational and administrative activities of the institution are under the ownership or lawful possession of the institution**. In both part-time and full-time provision, the teaching venue must have facilities to serve the teaching and learning activities and management's needs. Proof supporting this requirement must be submitted. The Authority may request further documents if it is not satisfied with the ones provided.
2. **A health and safety declaration by a competent Occupational Health and Safety Officer**, dating not more than 2 months from the

date of submission, declaring that the teaching venue and its facilities are free from hazards to safety in line with the provisions set out in [CHAPTER 424 OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ACT](#).¹

3. **A declaration by a warranted Architect** confirming that the teaching venue and its facilities can be used for educational purposes and are in full compliance with the approved planning permit conditions and drawings, applicable laws and regulations, including [L.N. 227 of 2016 DEVELOPMENT PLANNING \(HEALTH AND SANITARY\) REGULATIONS](#) and its subsequent amendments. The declaration needs to also confirm the following requirements:
 - a. Lecture rooms with independent access that are: conducive to learning, reasonably free from noise, nuisance and odour pollution and with a layout that minimises disturbance, discomfort and danger to the users.
 - b. Lecture rooms are well-maintained and in good structural condition. Spaces should not be cramped and do not cause inconvenience to abutting properties.
 - c. Adequate sanitary facilities are provided for both staff and students.
 - d. A layout that allows an easy flow of staff and students at peak and emergency times.
4. **A declaration by a warranted Engineer** confirming that the lecture rooms are well ventilated, lit, aired and protected from heat, cold and humidity.
5. All buildings being used as a teaching venue shall be **fully accessible** as per Maltese laws and regulations, in particular to the Commission for the Rights of Persons with Disability (CRPD) [Access for All Design Guidelines, 2011](#). It is the duty of the licence holders to make sure that the teaching venue/s used is/are in line with the relative legal requirements. The MFHEA reserves the right to request a compliance certificate issued by the CRPD at any time (including during Quality Assurance Audits). Requests for an addition of teaching venue must include a compliance certificate issued by the CRPD.
6. With regard to **sports grounds**, these should be considered as venues for internal provision and points 1, 2, 3, 4 and 5 apply. With regard to point 4,

¹ The declaration submitted is to include the postal address of the teaching venue being proposed and the signature of the health and safety officer.

in the case of sports grounds, the Engineer must also submit an actual lighting analysis.

7. In cases where a **licensed school** will be utilised as the teaching venue, a signed letter of authorisation from the hosting venue confirming the period in which this venue can be utilised is to be provided. The MFHEA shall have the authority to decide whether a particular venue is fit for purpose for the proposed venue. In any case, the MFHEA may request declarations by specific professionals as necessary as part of its due diligence.
8. For a **singular use of a venue** to conduct teaching activities, such as using premises owned by clients who are availing the service, it is imperative that the premises possess the requisite Health and Safety document(s) and adhere to pertinent legislation(s). The provider shall notify the MFHEA at least four weeks in advance. The MFHEA can object to the venue suggested. The MFHEA has the authority to request any documentation or information deemed necessary following any request for the use of premises owned by clients.²
9. Any **venues that will be used for any Work Placement/Apprenticeship and/or Internship**, are to follow the requirements indicated in the relevant laws and legislation. Moreover, a signed agreement is to be presented, clearly indicating the role and responsibility of both the educational institution and the entity providing the Work Placement/Apprenticeship and/or Internship.

In the case where the programme being provided requires that specific practical assignments be held, such as hospitals, laboratories or clinics, certification that the venues to be used are in full compliance with the standards that the specific profession and level require need to be provided. Any venue that is subject to criminal investigation or under the Planning Authority's regulatory and appeals action is disqualified as an eligible venue for accredited provision.

B. External provision

Those wishing to incorporate additional teaching and learning venues, or those in the initial application stage, are required to provide the following:

1. The premises dedicated to **the educational and administrative activities of the institution are under the ownership or lawful possession of the institution**. In both part-time and full-time provision, the external teaching venue must have facilities to serve the day-to-day students' and management's needs. Proof supporting this requirement must be submitted. The Authority may request further

² *Those presently conducting their teaching operations from a hotel can continue their activities for the time being.*

documents if it is not satisfied with the ones provided.

2. **A health and safety declaration by a competent Occupational Health and Safety Officer**, dating not more than 2 months from the date of submission, declaring that the external teaching venue and its facilities are free from hazards to safety in line with the provisions set out in [CHAPTER 424 OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ACT.](#)³
3. **A declaration by a warranted Architect** confirming that the external teaching venue and its facilities are in full compliance with the approved planning permit conditions and drawings, applicable laws and regulations, including [L.N. 227 of 2016 DEVELOPMENT PLANNING \(HEALTH AND SANITARY\) REGULATIONS](#) and its subsequent amendments. The declaration needs to also confirm the following requirements:
 - a. Premises with independent access that are: conducive to learning, reasonably free from noise, nuisance and odour pollution and with a layout that minimises disturbance, discomfort and danger to the users.
 - b. Premises are well-maintained and in good structural condition. Spaces should not be cramped and do not cause inconvenience to abutting properties.
 - c. Adequate sanitary facilities are provided for both staff and students.
 - d. A layout that allows easy flow of staff and students at peak and emergency times.⁴
4. A declaration by a **warranted Engineer** confirming that the premises are well ventilated, lit, aired and protected from heat, cold and humidity.
5. All premises being used as a teaching venue shall be **fully accessible** as per Maltese laws and regulations, in particular the Commission for the Rights of Persons with Disability (CRPD) [Access for All Design Guidelines, 2011](#). It is the duty of the licence holders to make sure that the teaching venue/s used is/are in line with the relative legal requirements. The MFHEA reserves the right to request a compliance certificate issued by the CRPD at any time (including during Quality Assurance Audits). Requests for an

³ The declaration submitted is to include the postal address of the teaching venue being proposed and the signature of the health and safety officer.

⁴ The declaration submitted needs to include the address of the teaching venue being proposed and the stamp and signature of the warranted Architect on each page or drawing.

addition of teaching venue must include a compliance certificate issued by the CRPD.

C. Overseas provision

If an accredited educational institution or a prospective educational entity intends to conduct aspects of teaching and learning activities overseas, they would need to submit an official document issued by the relevant Authority that the overseas provision and venue to be used are in full compliance with the legal requirements of the country where the provision would be taking place.

D. Digital provision

If an accredited educational institution or a prospective educational institution would like to introduce online/blended learning, they would need to submit the following:

1. At least one programme of studies offered through online/blended learning.
2. The [Guidelines for Quality Assurance for Online Learning Providers](#) address eight domains relevant to the quality assurance in online learning programmes. In case of higher education providers, these domains are to be addressed in the Self-Assessment Report (SAR). In case of further education providers, Section N of the Provider Accreditation Application Form for Further Education Institution, Further Education Centre, or Tuition Centre is to be filled in.
3. Access to the online platform and Virtual Learning Environment (VLE) both as a student and as a lecturer.
4. Any contractual agreement you may have with the hosts/owners of the online platform (if applicable).

Regards,

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