

Policy on the Quality Assurance, Authorisation and Monitoring of Foreign Awarded Programmes

Purpose of the Policy

This Policy is issued by the Malta Further and Higher Education Authority (MFHEA) in the exercise of its statutory functions to licence, accredit, quality assure and regulate education provision in Malta.

The purpose of this Policy is to establish a transparent, proportionate, and risk-based framework governing the quality assurance, authorisation, and monitoring of foreign awarded programmes delivered in Malta.

The Policy seeks to:

- a) ensure that all foreign awarded programmes delivered in Malta are subject to appropriate quality assurance;
- b) safeguard academic standards, student protection and public confidence in programmes delivered in Malta;
- c) facilitate reliance on credible external quality assurance arrangements where appropriate;
- d) avoid unnecessary duplication of quality assurance activities;
- e) ensure that foreign awarded programmes remain subject to periodic quality assurance EQA audit throughout their lifecycle;
- f) maintain alignment with the principles of the European Higher Education Area (EHEA), the European Qualifications Framework (EQF), and international quality assurance practice.

Scope of Application

This Policy applies to all accredited programmes delivered wholly or partly in Malta where the programme awarded is issued by a foreign awarding body.

The Policy applies irrespective of:

- the level or type of programme;
- the mode of delivery;

- whether the programme is delivered through a branch campus, , franchise arrangement, partnership agreement, collaborative provision or any other transnational education arrangement.

This Policy shall apply both to initial programme authorisation and to subsequent renewal and re-authorisation activities.

Definitions

For the purposes of this Policy:

Foreign Awarded Programme means a programme delivered in Malta by an educational provider, leading to an award (micro-credential), or qualification conferred by an awarding body established outside Malta, where that awarding body is legally distinct from the provider delivering the programme in Malta.

Locally Awarded Programme means a programme delivered in Malta by an MFHEA-licensed educational provider, leading to an award (micro-credential), or qualification conferred by another MFHEA-licensed educational provider, where the awarding provider and the delivering provider are legally distinct entities.

Awarding Body means the educational provider legally authorised to award a programme of study upon successful completion.

Licensed Local Institution means the MFHEA licensed provider responsible for delivering the programme in Malta;

External Quality Assurance EQA audit

Material Change means any change capable of affecting academic standards, programme content, student protection, governance arrangements or quality assurance arrangements.

Role of the Awarding Body

The foreign awarding body retains full and ultimate responsibility for the academic standards of the programme.

This responsibility includes, but is not limited to:

- approval of programme design and structure;
- approval of learning outcomes;
- approval of mode of delivery

- assessment frameworks and regulations;
- moderation and academic oversight;
- certification and award of qualifications;

The awarding body shall demonstrate that its internal and external quality assurance arrangements apply consistently across all approved mode of delivery and that academic standards are not compromised by the transnational nature of provision.

The awarding body shall maintain effective oversight of all delivery partners and shall ensure that any quality assurance conditions or recommendations arising from external EQA audit activities are implemented.

Role of the Licensed Local Institution

The licensed local institution shall be responsible for the delivery of the programme in Malta.

The institution shall maintain an internal quality assurance system as established under licence and shall ensure that delivery arrangements support the achievement of the intended learning outcomes.

The institution shall be responsible for:

- staffing arrangements;
- learning resources;
- student support services;
- assessment administration;
- implementation of awarding body requirements;
- local quality assurance procedures;
- student protection measures.

The institution shall actively monitor programme delivery and ensure that the student experience remains comparable to that approved by the awarding body and any recognised quality assurance body.

Role of the Malta Further and Higher Education Authority

The Authority is responsible for determining whether a foreign awarded programme may be delivered in Malta and for selecting the appropriate quality assurance pathway under this Policy.

In carrying out these functions, the Authority does not assume academic responsibility for the programme and does not award the programme.

The Authority's role is regulatory and supervisory and includes:

- determining the extent to which reliance may be placed upon external quality assurance arrangements;
- authorising programme delivery;
- monitoring compliance;
- safeguarding student rights
- ensuring that appropriate quality assurance mechanisms remain in place throughout the programme lifecycle.

General Approach

Upon receipt of an application relating to a foreign awarded programme, the Authority shall determine the appropriate level of quality assurance scrutiny to be applied through a risk-based and evidence-informed assessment.

In undertaking this assessment, the Authority shall consider:

- a) the robustness of external quality assurance arrangements;
- b) the recognition and standing of the quality assurance body;
- c) the EQA audit methodology employed;
- d) the validity period of the quality assurance decision;
- e) the transparency of the transnational arrangement;
- f) the track record of the institutions involved;
- g) if the programme is eligible for delivery outside the territory of the foreign awarding body;
- h) any conditions, recommendations or limitations arising from the EQA audit.

Eligibility for Reliance on External Quality Assurance

The Authority may consider reliance on external quality assurance arrangements where it is satisfied that such procedures are comparable to its own quality assurance procedures.

For reliance to be considered, the external quality assurance process shall be comparable to the methodology applied by the Authority in programme accreditation, as reflected in the **MFHEA Programme Accreditation Standards for Higher Education**.

The process shall include appropriate mechanisms to verify the quality and effective delivery of the programme. This may include, as applicable, an institutional or programme-level self-

assessment, EQA audit by independent experts, engagement with relevant stakeholders, and a site visit or equivalent verification activity accepted by the Authority.

In assessing whether reliance may be granted, the Authority shall consider whether the process has sufficiently examined areas such as governance, quality assurance, learning and teaching, assessment, student support, resources, delivery arrangements, and the overall student learning experience.

Processes based solely on documentary review, without sufficient verification of how the programme is implemented and delivered, shall not be accepted for the purposes of Pathway 2.

Quality Assurance Pathways

Following completion of the Reliance Assessment, the Authority shall determine the appropriate quality assurance pathway applicable to the programme.

The Authority may assign a programme to Pathway 1, Pathway 2, Pathway 3 or Pathway 4 depending on the extent to which reliance may be placed upon existing external quality assurance arrangements.

Pathway 1 – Collaborate Quality Assurance

Applicability

The Authority may, where appropriate, participate in or rely on a quality assurance process led by another recognised quality assurance authority, agency or competent public body. Under this pathway, the foreign quality assurance body shall retain ownership of the external quality assurance process, including its methodology, coordination, expert review arrangements, evidence-gathering activities, reporting and conclusions.

This pathway may be applied where:

- a) a collaborative quality assurance arrangement exists between the Authority and another recognised quality assurance body;
- b) the foreign quality assurance body is responsible for leading the process and applying its established procedures, standards and decision-making framework;
- c) the Authority determines that participation in, or reliance on, the foreign-led process would support efficiency, reduce unnecessary duplication and maintain an appropriate level of quality assurance oversight;
- d) the nature, scale or complexity of the provision justifies a collaborative quality assurance approach.

Role of the Authority

The Authority's role under this pathway shall be limited to participation, observation, technical input, or contextual guidance, as appropriate. The Authority may provide information on Maltese regulatory requirements and national expectations, but shall not assume ownership of the foreign quality assurance process or substitute the foreign body's assessment with its own audit process.

Outcome

The Authority may consider the findings, conclusions and recommendations arising from the foreign-led quality assurance process for authorisation purposes in Malta, provided that the process offers sufficient assurance regarding the quality, standards and effective delivery of the provision.

The Authority retains sole responsibility for any authorisation decision issued in Malta. Reliance on a foreign-led quality assurance process shall not limit the Authority's discretion to request additional information, impose conditions, require follow-up action, or decline reliance where the process does not provide sufficient assurance.

Pathway 2 – Recognition of External Programme and Delivery Review

Applicability

Pathway 2 shall apply where the Authority is satisfied that:

- a) the programme has undergone recognised external quality assurance initial or cyclical as applicable;
- b) the foreign programme forms part of the scope of their external quality procedure of the foreign body;
- c) the licensed local institution delivery arrangements, branch campus, approved centre or equivalent delivery location formed part of the scope of the EQA audit;
- d) the EQA audit included direct verification of implementation and delivery arrangements;
- e) the external quality assurance decision remains valid and in force.

Scope

The Authority shall undertake a verification-based EQA audit to determine whether reliance on the external quality assurance decision is justified and applicable to a licensed local institution.

The Authority shall assess:

- a) the credibility and independence of the external quality assurance body;
- b) the scope and validity of the audit;
- c) the applicability of the EQA audit findings to the programme delivered in Malta;
- d) governance and oversight arrangements between the awarding body and the licensed local institution;
- e) any conditions, recommendations or limitations arising from the audit.

Outcome

Where the Authority is satisfied that the external quality assurance arrangements provide sufficient assurance regarding both the programme and its delivery in Malta, the programme may be authorised without undergoing a separate MFHEA programme EQA audit.

Programmes authorised under Pathway 2 shall remain subject to ongoing monitoring, compliance activities and reporting obligations.

Pathway 3 – Local Delivery Audit

Applicability

Pathway 3 shall apply where the Authority is satisfied that:

- a) the programme has undergone recognised external quality assurance within the approved EQA audit cycle;
- b) the programme forms part of the scope of the EQA audit;
- c) the external EQA audit did **NOT** include the licensed local institution delivery arrangements;
- or
- d) the Authority determines that additional EQA audit of local implementation is necessary to obtain assurance regarding delivery in Malta.

Scope

The Authority shall undertake a **local delivery audit** in accordance with the applicable MFHEA Programme Accreditation Standards for Higher Education.

The audit shall focus on the implementation and delivery of the programme by the licensed local institution in Malta. Its purpose shall be to determine whether the local delivery arrangements provide sufficient assurance that the programme can be delivered effectively, consistently and in line with the requirements of the awarding body and the applicable MFHEA framework.

The audit shall not reassess programme design, learning outcomes, programme structure, academic content or other matters already subject to recognised external quality assurance,

unless a material concern is identified which may affect the quality, standards or effective delivery of the programme in Malta.

Outcome

Where assurance is obtained regarding local delivery arrangements, the programme may be authorised subject to any conditions, monitoring measures or reporting requirements deemed necessary by the Authority.

Where material deficiencies are identified, the Authority may require corrective action, impose conditions, or require the programme to undergo Pathway 3

Pathway 4 – Full Programme Audit

Applicability

Pathway 4 shall apply where

- a) recognised external quality assurance does not exist;
- b) the programme has not been subject to external quality assurance within the approved EQA audit cycle;
- c) the quality assurance arrangements cannot be verified;
- d) the programme falls outside the scope of the EQA audit;
- e) reliance on external quality assurance would create a material regulatory gap;
- f) significant concerns exist regarding quality, standards, or student protection;
- g) the Authority determines that external quality assurance arrangements do not provide sufficient assurance.

Scope

The programme shall undergo a full programme EQA audit in accordance with the Authority's Programme Accreditation Standards for Higher Education.

The EQA audit shall assess the programme in its entirety and shall consider all matters required under the applicable MFHEA framework for programme accreditation. This includes both the academic design of the programme and the arrangements in place to support its effective implementation and delivery.

The Authority shall determine the scope, depth and evidence requirements of the EQA audit in line with the applicable procedure, taking into account the nature, level, mode of delivery and complexity of the programme.

Outcome

Authorisation shall only be granted where the Authority is satisfied that the programme complies with all applicable MFHEA requirements and maintains appropriate academic standards.

The Authority may impose conditions, limitations, enhanced monitoring requirements or other measures considered necessary.

Reassignment of Pathways

The Authority may transfer a programme from one quality assurance pathway to another where:

- a) external quality assurance arrangements change;
- b) accreditation or EQA audit status changes;
- c) material changes occur;
- d) significant concerns arise through monitoring or compliance activities;
- e) additional information becomes available which materially affects the original reliance assessment.

The Authority shall provide reasons for any reassignment of pathway and may require further EQA auditor evidence where necessary.

EQA Audit Cycle and Validity of Authorisation

Periodic External Quality Assurance Requirement

All programmes authorised under this Policy shall remain subject to periodic external quality assurance throughout their lifecycle.

Continued reliance on external quality assurance arrangements shall be conditional upon the maintenance of valid and recognised quality assurance arrangements acceptable to the Authority.

Programmes authorised under Pathway 1 or Pathway 2 shall not continue to benefit from such pathways where the underlying external quality assurance arrangements have expired, lapsed, been suspended, withdrawn, or otherwise ceased to be valid.

Approved EQA Audit Cycle

The Authority shall rely upon external quality assurance decisions that have been conducted within the preceding five (5) years.

Where a r quality assurance authority, agency or competent public body operates on a EQA audit cycle exceeding five (5) years, the Authority may accept an alternative EQA audit cycle following consideration of:

- a) the quality assurance framework applicable within the relevant jurisdiction;
- b) the EQA audit methodology employed;
- c) the level of assurance provided by the EQA audit process;
- d) any other factors deemed relevant by the Authority.

Acceptance of an alternative EQA audit cycle shall not be automatic and shall remain subject to the Authority's approval.

The Authority may determine a shorter EQA audit cycle where this is considered necessary to safeguard academic standards, student protection, or regulatory oversight.

Validity of Authorisation

Authorisation granted under Pathway 1 or Pathway 2 shall remain valid only for the duration of the external quality assurance decision upon which the authorisation was based, subject to 9.5 and 10.1.

The validity period granted by the Authority shall not exceed the expiry date of the recognised external quality assurance decision.

For the avoidance of doubt, the validity period shall be calculated from the date of the external quality assurance audit, accreditation decision, audit outcome, or comparable quality assurance determination, and not from the date on which authorisation is granted by the Authority.

Where a programme has been externally audited prior to submission to the Authority, the remaining validity period of that external EQA audit shall determine the maximum duration of authorisation granted by the Authority.

Renewal of Authorisation

Providers shall submit evidence of renewed external quality assurance decisions within thirty (30) days of their issuance.

The Authority shall EQA audit the renewed external quality assurance documentation and determine whether:

- a) the existing pathway remains applicable;
- b) additional information or EQA audit is required;
- c) reassignment to an alternative pathway is necessary.

Renewal of authorisation shall not be automatic and shall remain subject to the Authority's assessment.

Expiry of External Quality Assurance Arrangements

Where the underlying external quality assurance arrangements expire and no renewed quality assurance decision has been submitted and accepted by the Authority, the Authority may:

- a) require the programme to undergo reassessment under an alternative pathway;
- b) impose additional reporting or monitoring requirements;
- c) impose conditions on continued operation;
- d) suspend the admission of new students;
- e) suspend or withdraw authorisation.

The Authority shall take into consideration the interests of enrolled students and the principles of proportionality and student protection when determining any regulatory action.

Continuous Quality Assurance

The Authority may require evidence at any time demonstrating that the programme continues to be subject to effective quality assurance oversight by the awarding body and any recognised external quality assurance authority.

The licensed local institution and the awarding body shall cooperate fully with any requests for information made by the Authority for this purpose.

Student Protection

The Authority shall ensure that students enrolled in foreign awarded programmes delivered in Malta are afforded appropriate protection throughout the programme lifecycle.

The licensed local institution and the awarding body shall ensure that students are provided with a student's agreement containing, *inter alia*, information regarding:

- a) the awarding body;
- b) the licensed local institution;
- c) information about of the programme;
- d) the quality assurance arrangements applicable to the programme;
- e) any professional recognition, where applicable;
- f) the applicable complaints and appeals procedures;
- g) any limitations or conditions affecting the programme.

The licensed local institution shall maintain appropriate student protection arrangements, including contingency measures designed to safeguard the interests of students in the event of programme suspension, withdrawal, termination, loss of accreditation, or other circumstances affecting programme continuity.

The Authority may require evidence of student protection arrangements at any stage of the programme lifecycle.

Transparency and Public Information

The Authority shall maintain appropriate public information regarding programmes authorised under this Policy.

The licensed local institution shall ensure that all promotional materials, websites, publications and student-facing information accurately and clearly identify:

- a) the awarding body;
- b) the title of the programme;
- c) the status of the programme;
- d) the applicable quality assurance arrangements;
- e) any limitations or conditions imposed by the Authority where disclosure is required.

Information shall be presented in a manner that is accurate, transparent and not misleading.

The Authority may require amendments to public information where it determines that information provided may mislead prospective or current students.

Monitoring and Compliance

All programmes authorised under this Policy shall remain subject to ongoing monitoring and compliance activities conducted by the Authority.

Monitoring activities may include:

- a) annual or periodic reporting requirements;
- b) compliance inspections;
- c) spot check both physical or virtual;
- d) thematic reviews or sector-wide quality assurance exercises focusing on specific areas of risk, policy development, student protection, academic standards, or emerging educational practices;
- e) engagement with students, graduates, academic staff and management;
- f) EQA audit of quality assurance documentation;

- g) any other activity deemed necessary by the Authority.

The frequency and intensity of monitoring activities shall be proportionate to the level of risk associated with the programme and the applicable quality assurance pathway.

The Authority may coordinate monitoring activities with recognised external quality assurance bodies where appropriate.

Reporting Obligations

The licensed local institution shall submit such reports and information as may be required by the Authority.

The Authority may require information relating to:

- a) student enrolment and progression;
- b) student achievement and completion rates;
- c) staffing arrangements;
- d) quality assurance activities;
- e) external quality assurance outcomes;
- f) complaints and appeals;
- g) changes to programme delivery;
- h) any other information necessary for regulatory purposes.

The licensed local institution shall promptly notify the Authority of any matter that may materially affect programme quality, academic standards, student protection or compliance with this Policy.

Material Changes

The licensed local institution shall notify the Authority in writing of any material change affecting a programme authorised under this Policy within 10 working days of such changes taking place.

Material changes include, but are not limited to:

- a) changes to the awarding body;
- b) changes to ownership or control of the programme;
- c) changes to delivery partners;
- d) changes to programme structure or delivery arrangements;
- e) significant curriculum revisions;
- f) changes to delivery methodology;

- g) changes affecting accreditation or quality assurance status;
- h) changes affecting student protection arrangements;
- i) changes affecting academic oversight or governance arrangements.

The Authority shall determine whether the proposed change:

- a) may proceed without further review;
- b) requires submission of additional evidence;
- c) requires reassessment under the existing pathway;
- d) requires reassignment to an alternative pathway;
- e) requires a new authorisation process.

No material change requiring prior approval shall be implemented before the Authority has communicated its decision.

Failure to notify the Authority of a material change, or the implementation of a material change without prior approval where such approval is required, may result in regulatory action, including but not limited to:

- j) formal warning or directive to remedy the breach within a specified timeframe;
- k) the imposition of administrative penalties, where applicable;
- l) suspension of the affected programme, in whole or in part;
- m) withdrawal or amendment of the programme authorisation;
- n) referral for further enforcement action in accordance with applicable legislation and procedures.

In determining the appropriate action, the Authority shall take into account the nature and seriousness of the breach, its impact on the integrity of the programme, and the welfare and legitimate expectations of enrolled learners. Where regulatory action is taken, the provider may be required to submit a teach-out, transfer, or student protection plan to ensure that learners are not unfairly prejudiced.

Public Interest Safeguard

Notwithstanding any reliance placed upon external quality assurance arrangements, the Authority may undertake additional review, monitoring or regulatory action where it determines that such action is necessary to protect students, safeguard academic standards or uphold confidence in the education system.

The Authority may exercise this power where:

- a) significant complaints are received;
- b) concerns arise regarding academic integrity;
- c) concerns arise regarding assessment practices;

- d) student protection concerns are identified;
- e) information submitted is inaccurate, incomplete or misleading;
- f) adverse findings are issued by another competent authority;
- g) compliance activities identify significant risks;
- h) material changes occur;
- i) any other circumstance arises that may affect quality, standards or student interests.

The Authority may require additional evidence, undertake additional EQA audit activity, reassign the programme to an alternative quality assurance pathway, impose conditions, or take any other regulatory action permitted by law.

Regulatory Action

Where the Authority determines that a programme no longer satisfies the requirements of this Policy, or where deficiencies are identified, it may take such regulatory action as it considers necessary and proportionate.

Such action may include:

- a) requiring corrective measures;
- b) imposing conditions;
- c) enhanced monitoring;
- d) reassignment to an alternative quality assurance pathway;
- e) restrictions on student recruitment;
- f) impose fines
- g) suspension of authorisation;
- h) withdrawal of authorisation.
- i) In determining the appropriate action, the Authority shall take into consideration:
- j) the nature and seriousness of the deficiency;
- k) the impact on students;
- l) the extent of cooperation demonstrated by the institution;
- m) the principles of proportionality and fairness;
- n) the need to protect academic standards and public confidence.

Publication of Decisions

The Authority shall publish information relating to decisions taken under this Policy in the interests of transparency, accountability and public confidence.

Published information shall include:

- a) programme authorisation decisions;
- b) assigned quality assurance pathways;
- c) conditions imposed by the Authority;
- d)
- e) other information deemed appropriate by the Authority.

Transitional Provisions

Programmes authorised prior to the entry into force of this Policy shall be subject to a formal transitional period of **[insert timeframe, e.g. 12 or 24 months]** from the date of entry into force of this Policy.

During the transitional period, providers shall review and align all authorised programmes with the requirements of this Policy. The Authority may request additional information, documentation, evidence, and proposed amendments from providers to facilitate such alignment.

The Authority may establish implementation timelines and transitional arrangements where necessary, provided that these do not result in a permanent two-tier system between programmes authorised before and after the entry into force of this Policy.

Where a provider fails to align its programmes within the applicable timeframe, the Authority may take appropriate regulatory action in accordance with applicable legislation and procedures, while ensuring that the rights and welfare of enrolled learners are duly safeguarded.

Review of the Policy

This Policy shall be reviewed periodically to ensure continued alignment with:

- a) national legislation;
- b) developments within the European Higher Education Area;
- c) the European Qualifications Framework;
- d) recognised international quality assurance practice;
- e) the strategic objectives of the Authority.

The Authority may amend, replace or withdraw this Policy as necessary.

Summary

Pathway	When it applies	What is needed	Who is responsible
Pathway 1 – Collaborative / Foreign-led Quality Assurance	Used where MFHEA participates in, observes, or relies on a quality assurance process led by another recognised quality assurance authority, agency or competent public body.	A collaborative QA arrangement; evidence that the foreign QA body is recognised and leading the process; clear methodology, standards, evidence-gathering, reporting and conclusions; sufficient assurance that the programme and delivery arrangements meet quality expectations.	Foreign QA body leads the QA process. MFHEA may participate, observe, provide contextual guidance, and decide whether to rely on the findings for authorisation in Malta. Awarding body and licensed local institution provide evidence and implement any conditions or recommendations.
Pathway 2 – Recognition of External Programme and Delivery Review	Used where the programme and the Maltese/local delivery arrangements have already been covered by a recognised external QA audit.	Evidence that the programme underwent recognised external QA; confirmation that the programme was within scope; confirmation that the licensed local institution, branch campus, approved centre or delivery location was within scope; evidence of direct verification of implementation and delivery; valid and current QA decision; details of any conditions, limitations or recommendations.	Licensed local institution , usually with the awarding body , submits the evidence. External QA body provides the QA report/decision. MFHEA verifies credibility, scope, validity and applicability, and may authorise without a separate MFHEA programme audit.
Pathway 3 – Local Delivery Audit	Used where the programme itself has undergone recognised external QA, but the Maltese delivery arrangements were not included, or MFHEA considers further assurance on	Evidence of recognised external QA for the programme; evidence that the programme is within scope of that review; documentation on local delivery in Malta, including governance, implementation of	Licensed local institution provides local delivery evidence and demonstrates implementation capacity. Awarding body confirms requirements, oversight and academic standards. MFHEA conducts the targeted local delivery

	local implementation necessary.	requirements, staffing, assessment administration, learning resources, student support, internal QA, student protection and operational delivery arrangements.	audit and may impose conditions, monitoring or reporting requirements.
Pathway 4 – Full Programme EQA audit	Used where recognised external QA does not exist, is expired, cannot be verified, does not cover the programme, creates a regulatory gap, or where significant concerns exist.	Full programme documentation in line with MFHEA Programme Accreditation Standards, including programme design, learning outcomes, level and credit structure, teaching and assessment methods, staffing, resources, internal QA, student protection arrangements, public information and programme documentation.	Licensed local institution submits the full application and delivery evidence. Awarding body provides academic and award-related evidence. MFHEA carries out a full programme EQA audit and decides whether authorisation may be granted.