



Regulatory Document
POLICIES AND PROCEDURES

Designation Policy

February 2018

Version 1

This version (1) of Qualifications Wales' Designation Policy was approved by the Management Board on 17 January 2018.

Section 47 of the Qualifications Wales Act 2015 (the "Act"), requires Qualifications Wales (thereafter referred to as 'we' or 'us') to prepare a policy statement which sets out its functions, including its functions in relation to designation.¹ The policy statement must contain information as to matters likely to be taken into account in deciding whether to designate a form of qualification under section 29, in determining the period for which such a designation is to have effect and in deciding whether to revoke such a designation.²

We will keep policy statements under review and, if we consider it appropriate in consequence of a review, prepare revised statements. We will review this document at least every 3 years. Such a review may consider the effectiveness of the policy and its ongoing applicability. The next review is due to take place no later than January 2021

Feedback on this policy is welcomed at any time. Please send any comments to policy@qualificationswales.org.

¹ Section 47(1)(c), Qualification Wales Act 2015.

² Section 47(2)(b), Qualifications Wales Act 2015

General Principles of the Designation Policy

This policy explains how we exercise our functions in relation to the designation of qualifications. Where an awarding body recognised by us wants one of its qualifications to be eligible for use on certain publicly-funded courses, the awarding body will normally apply to us for the qualification to be designated.

Under Section 34 of the Act, if a course is provided or proposed to be provided by or on behalf of a school or institution or employer for pupils under the age of 19, that course must not be publicly funded unless the qualification which the course leads to is approved or designated by us. The only exceptions to this are if the Welsh Ministers designate a course for the purpose of public funding or if such a course is provided or proposed to be provided to a person with learning difficulties. In those cases, the courses may be publicly funded despite not leading to a qualification that is designated or approved by us.

The aim of this policy is to explain designation, the matters we are likely to consider in designating qualifications and our approach with regards to withdrawal of designation.

CONTENTS

DEFINITION OF DESIGNATION

MATTERS WE WILL CONSIDER WHEN DECIDING TO DESIGNATE QUALIFICATIONS

PROCEDURES FOR APPLYING FOR DESIGNATION

TIMESCALES FOR DESIGNATION

REVOCACTION OF DESIGNATION

TRANSITIONAL ARRANGEMENTS

Definition of designation

1. Designation is one of the ways through which we can deem a qualification to be eligible for public funding in Wales. Only awarding bodies that are recognised by Qualifications Wales can apply for designation of qualifications. For more information about recognition by Qualifications Wales, please refer to our [Recognition Policy](#).
2. Designated qualifications are eligible for use on publicly-funded courses of training or education for learners under the age of 19. While we determine, through designation or approval of qualifications, whether a qualification is eligible to be used on funded programmes of learning, decisions about the

funding of such programmes are made by Welsh Government. Welsh Government sets its policies in relation to the funding of different types of provision. Learning providers should refer to information provided to them by Welsh Government in determining what courses or programmes of learning to provide.

3. Awarding bodies can submit applications for the designation of their qualifications to us. We will assess applications in line with this policy and the document Rules About Applications for Designation.
4. Designated qualifications are often also available to learners outside of Wales.

Matters we will take into consideration when deciding whether to designate a form of qualification

5. We will only designate a recognised awarding body's form of qualification where we are satisfied that the following requirements are met:
 - i. that it would be appropriate for a course of education or training which leads to that qualification, and which is provided or is proposed to be provided by or on behalf of a school or institution or employer, to be publicly funded.
 - ii. that it is currently appropriate for us to designate the qualification, rather than to publish approval criteria for it;
 - iii. that the qualification is not the same as, or similar to, a qualification which is currently approved by us, or for which we have published approval criteria. In determining this, we may consider a number of factors, including but not restricted to:
 - I. Subject sector area
 - II. Purpose and any sub-purpose
 - III. Audience (age-ranges and levels)
 - iv. that the qualification is relevant to the organisational and public policy context of Wales;
 - v. that the qualification is appropriate for the age ranges of potential candidates. In particular, if the qualification is primarily awarded to a course of education or training normally undertaken by pre-16 learners, the qualification should not attest to occupational competence, or be focused on specific occupations; and
 - vi. that the qualification is not currently included on our [Priority Qualifications List](#).

Procedures for applying for designation

6. We will consider applications for designation of qualifications from any awarding body that is recognised by us.
7. As required by Section 33 of the Act, we publish rules about applications for designation. These rules include the form and content of applications, the way in which applications are to be made and the evidence to be provided by awarding bodies. These rules can be found in our document Rules About Applications for Designation.:
8. We may publish specific rules about application for designation of different types of qualification, for example, some rules may only apply to GCSE Qualifications.
9. Awarding bodies can make their applications for designation of qualifications through our online qualifications database 'Qualifications in Wales' (QiW) at the following website:

qiw.wales

10. In applying for designation of a qualification, an awarding body will need to supply evidence that the qualification meets specific requirements. We may, in the context of designation, set specific evidence requirements linked to the design and development of qualifications as outlined in Section E of the Standard Conditions of Recognition.
11. The evidence assessed as part of the designation process is not a general indication for whether or not an awarding body is compliant with the Standard Conditions of Recognition. However, where appropriate, this evidence may inform our monitoring activity.
12. We may designate qualifications for a specific purpose where we consider it appropriate, whilst having regard to the circumstances or the learners to which the designated qualification may be awarded. For example, we may designate some qualifications as only eligible for use on programmes of learning for learners aged 18 plus due to health and safety requirements.
13. Once we have considered the application submitted by an awarding body for designation, we will contact that awarding body to make them aware of our decision via QiW. Once a qualification has been designated by us it will be listed as such on QiW.

Timescales for designation

14. When we designate a qualification, we will specify the date from which the designation takes effect and the date on which the period of designation ceases. The designation end date may vary according to whether it is for the purpose of admitting new learners or certifying learners.³
15. An awarding body may specify a preferred expiry date to us in its application. An awarding body can also apply to use to extend the designation period of a qualification before the designation comes to an end.
16. We will normally designate a qualification for a maximum of 5 years (that is, the operational end date will be a maximum of 5 years from the start date). When deciding on the period for which a designation will last, we will consider the following matters:
 - I. Whether the qualification is part of a sector review or reform⁴;
 - II. Findings from regulatory activity
 - III. The awarding body's preferred expiry date as stated in its application.
17. Additionally, a qualification will cease to be designated where the awarding body providing the qualification ceases to be recognised by us or if we subsequently approve the qualification. In such circumstances, we will notify the awarding body of the date the designation will cease to be effective.
18. An awarding body can apply to extend the designation period of a qualification or withdraw the qualification from designation, before the designation comes to an end.

Revocation of designation

³ Although the Qualifications Wales Act only specifies one end date, there are two end dates for Designation, the Certification End Date and the Operational End Date. The Operational End Date of a Designation prescribes that no new learners can register/enter for a qualification after this date. However, existing candidates are allowed to complete the qualification until the Certification End Date. The time between the Operational End Date and the Certification End Date is called the Certification Period. The Certification End Date means the qualification has ended after this date. No learners will be awarded the qualification and no school or college will receive public funding to teach it after this date.

⁴ Qualifications Wales routinely undertakes reviews of qualifications in relation to specific economic sectors. These reviews may lead to decisions to avoid proliferation within that particular sector. For more information on our sector reviews, please see our [Vocational Qualifications Strategy](#)

19. Under section 32 (Revocation of section 29 Designations) of the Act, we may revoke a section 29 designation.
20. When deciding whether to revoke designation, we will consider the following matters:
 - i. whether we discover, following the commencement of the designation, that a designated qualification is the same as or similar to a qualification that we have currently approved, or which is listed on the Priority Qualifications List;
 - ii. whether the designated qualification is the same as, or similar to, a qualification that we have subsequently approved since the original date on which we designated the qualification (for example when we seek to restrict qualifications);
 - iii. whether we deem an awarding body to have been non-compliant with our Standard Conditions of Recognition and we have withdrawn their recognition; or
 - iv. whether skill requirements in a relevant sector of employment have changed significantly since the date of designation, so as to negatively impact the value of the qualification for users.
21. If we intend to revoke a designation, we will issue the relevant awarding body with a notice of our intention to do so. The notice will:
 - i. explain why we propose to revoke the designation; and
 - ii. specify the proposed date at which the designation will expire.
22. An awarding body that receives a notice of our intention to revoke designation has the following two options:
 - i. Submit representations and/or objections to Qualifications Wales about the proposal to issue the direction. The awarding body has a period of no less than 20 working days to do so (from the date of the notice of intent) and in deciding whether to give the direction, we will have regard to any representations made by the awarding body.
 - ii. Do nothing, in which case, Qualifications Wales will wait until the period in the notice (being a minimum of 20 working days) has expired, and then proceed to make a final decision about whether or not to give the direction.
23. After having considered the relevant awarding body's representations, if we decide to revoke a section 29 designation, we will notify the relevant awarding body of our decision and explain when the revocation will take effect. We will publish a notice of the decision on our website. This notice must be given before

or on the 31st of December of the year in which the decision is made. The designation will cease to be effective on the 1st of September of the following year, meaning that an awarding body will have a minimum of 8 months between being informed of the revocation and it coming into effect.

Transitional arrangements

24. Where a designation ends sooner than originally expected – for example if qualifications of that type are subsequently approved by us – we will consider what arrangements need to be put in place to protect learners already taking the qualification or expecting to take it. For example, we may consider it appropriate to continue to treat a qualification as designated until a date that we specify. We may continue to designate qualifications in the period between approval and first delivery of a restricted priority qualification.