



Fee Capping Policy

JUNE 2016



Version control

This version (1) of Qualifications Wales' Fee capping policy was approved on 25 June 2016 by the Qualifications Wales Board.

Section 47(2) of the Qualifications Wales Act 2015 (the Act") requires Qualifications Wales to publish a statement of its policy with respect to fee capping. Qualifications Wales will keep its policy statements prepared under section 47 of the Act under review, and if it considers it appropriate in consequence of a review, prepare revised statements. Qualifications Wales will review this document at least once a year. Such a review may consider the effectiveness of the policy and its ongoing applicability. The next review of this statement is due to take place no later than 30 September 2017.

Feedback on this policy is welcomed at any time. Please send any comments to policy@qualificationswales.org. Please note that only comments regarding the generality of this document, rather than specific situations will be considered as part of that review.

General principles of the Fee Capping policy

This policy statement is for awarding bodies, Welsh Government and all users of qualifications in Wales. It explains the circumstances under which Qualifications Wales may impose a limit on the amount an awarding body may charge in connection with the award of publicly funded qualifications that are approved or designated by Qualifications Wales under the Qualifications Wales Act 2015.

FEE CAPPING POLICY

1. Qualifications Wales may set a fee capping condition that limits the amount charged by awarding bodies that are recognised under Section 4 (*Recognition of awarding bodies*) of the Qualifications Wales Act 2015 in connection with the award of a publicly funded approved or designated qualification.
2. When considering the appropriateness of a fee capping condition, the limit to be set and the duration for which the condition will be in place, we will have regard to whether qualifications are provided efficiently and so as to secure value for money. In considering whether qualifications secure value for money, Qualifications Wales will review a broad evidence base in order to review the factors outlined in this policy.
3. We may set a fee capping condition in line with our Principal Aims where fees are having an impact on the effectiveness of the qualification system in meeting the needs of learners in Wales such as where we have found that the level of the fee charged for the award of a qualification has a direct and detrimental effect on the ability of learners to access publicly funded qualifications.
4. There may be a number of other circumstances where it is appropriate for other criteria to be applied by Qualifications Wales in determining to impose a fee capping condition relating to value for money. In such cases Qualifications Wales will communicate such criteria and will gather an evidence base for a decision to apply other criteria.
5. When setting the limit specified in a fee capping condition, we may consider as appropriate, factors which include but are not limited to:
 - 5.1. the reasonable costs to awarding bodies and learning providers of awarding the qualification;

- 5.2. the reasonable costs to learners of taking the qualification compared to similar qualifications available;
 - 5.3. the market in which the qualification is being offered and the economic viability for the awarding body of awarding the qualification.
6. We will determine the duration of a fee capping condition based upon factors including but not limited to:
 - 6.1. how long learners are likely to continue to be taking courses leading to the qualification;
 - 6.2. the expiry date of the qualification;
 - 6.3. a suitable review date to determine the ongoing requirement for a fee capping condition.
 7. We may, having taken into account the matters outlined in paragraphs 2 to 5 above, consider imposing a general limit on the amount to be charged by all awarding bodies in connection in respect of the award of a qualification or description of qualification.
 8. We will consult with awarding bodies before imposing a fee capping condition of any type and will issue a notice to any awarding body concerned setting out:
 - 8.1. the fee capping condition Qualifications Wales proposes to impose
 - 8.2. an explanation of why Qualifications Wales proposes to impose the condition
 - 8.3. the date by which Qualifications Wales proposes to decide whether to impose the condition.
 9. Qualifications Wales will have regard to any representations made by the recognised body.
 10. When we impose a fee capping condition we will provide the awarding body with the rationale for the decision which will include information pertaining to:
 - 10.1 the means of identification of the issue;
 - 10.2 the evidence based used to support the decision (including consultation);
 - 10.3 any alternative options considered;
 - 10.4 details of the fee capping condition (including the date that the condition will take effect)
 - 10.5 the right to request a review of the decision under the Regulatory Appeals Policy and the deadline for submitting an appeal.