



# Recognition Policy

AUGUST 2019



## **Version control**

Version (2) of the Recognition Policy was published in August 2019. The previous version (1) was published in October 2016.

Feedback on this policy is welcomed at any time. Please send any comments to [policy@qualificationswales.org](mailto:policy@qualificationswales.org).

## Contents

General Principles of the Recognition Policy .....	3
Recognition of an Awarding Body .....	4
Criteria for General Recognition .....	4
Qualification specific recognition criteria .....	4
Rules for the Recognition of Awarding Bodies .....	4
Continuing recognition of awarding bodies.....	6
Standard Conditions of Recognition .....	6
Revising the Standard Conditions .....	6
Special Conditions.....	6
Surrender and Withdrawal of Recognition.....	7
Withdrawal of recognition.....	7
Surrender of recognition .....	8
Transitional arrangements.....	8
Related Documents .....	8

## General Principles of the Recognition Policy

This policy may be of particular interest to awarding bodies, as well as all users of qualifications in Wales and the Welsh Government. If you are a body wishing to apply to Qualifications Wales to become a recognised awarding body and to have its qualifications regulated in Wales, this policy outlines the way in which we will recognise awarding bodies.

The Qualifications Wales Act (2015) (“the Act”), provides us with the power to recognise awarding bodies under section 4 (Recognition of awarding bodies). This policy explains how we exercise our functions in relation to the recognition of awarding bodies.

The aim of this policy is to explain:

- our requirements for the recognition of awarding bodies;
- why we make criteria and rules for the recognition of awarding bodies; and
- the circumstances in which recognition can be surrendered or may be withdrawn.

## Recognition of an Awarding Body

1. Awarding bodies must apply for general recognition in order to award regulated qualifications in Wales.
2. Once recognised, awarding bodies can award any description of qualification other than those for which we have published qualification-specific recognition criteria.

### Criteria for General Recognition

3. We set and publish [Criteria for General Recognition](#) to be applied for the purpose of recognising awarding bodies, as outlined under section 5 of the Act (Duty to set general recognition criteria). The evidence we take into account in deciding whether to award recognition may include evidence submitted by the awarding body to other regulators.
4. The Act includes the power for us to make provisions for different descriptions of awarding body. We do not make such provisions currently.

### Qualification specific recognition criteria

5. We also, under section 6 of the Act have the power to set and publish additional qualification-specific recognition criteria which makes different provision for different descriptions of awarding body or different qualifications or different descriptions of qualification.
6. Currently, we have only published [Criteria for Recognition to Award GCSE / GCE Qualifications](#).

### Rules for the Recognition of Awarding Bodies

7. Under section 10 of the Act (rules about applications for recognition) we must make and publish rules about the making of applications to us by an awarding body for recognition.
8. The aims of the rules are to provide clarity to an applicant about:
  - a) the information that we need to be able to consider a body for recognition; and
  - b) the process of applying for recognition.

9. Awarding bodies seeking recognition must demonstrate to us that they meet our Criteria for Recognition. Awarding bodies seeking recognition can apply using the process outlined in our [Rules About Applications for Awarding Body General Recognition](#).
10. Recognised awarding bodies seeking recognition to award GCSE and GCE qualifications must apply using the process outlined in our [Rules About Applications for Recognition to award GCSE / GCE Qualifications](#).

### **Our decisions about applications for awarding body recognition**

11. We can recognise an awarding body on the following two grounds:
  - a) If an awarding body meets the relevant criteria for recognition;
  - b) If an awarding body does not meet all of the relevant criteria for recognition but we consider it otherwise appropriate to grant recognition.
12. In instances where the awarding body does not meet all of the relevant criteria for recognition, we will take the following into account in determining whether to recognise the awarding body:
  - a) whether the body substantially meets the relevant criteria for recognition
  - b) the effect of its failure to meet those criteria in full
  - c) the likelihood of it subsequently meeting the criteria in full.
13. For example, where an awarding body has not met the criteria but there is evidence to demonstrate that it will be met within a certain time period and that steps have been taken to mitigate against this, we will take this into consideration in deciding whether to award recognition. being met by a set date. There may also be circumstances where the awarding body is unlikely to meet the criteria but there is an appropriate reason for granting recognition.
14. If an application for recognition is refused, we will provide unsuccessful applicants with the reasons for the refusal of recognition. Applicants may resubmit their application for recognition. If applicants wish to appeal a decision, they may have recourse to the measures outlined in our [Regulatory Appeals Policy](#).
15. If an awarding body has applied for general recognition to award regulated qualifications, they will be recognised for all of the qualifications they offer unless:

- a) we have published qualification-specific Criteria for Recognition which they have not met, or,
  - b) they clearly specify they wish certain qualifications, or descriptions of qualification to be excluded.
16. The awarding body may specify in its application a qualification or description of qualification in respect of the award of which it does not wish to be recognised.
17. We will specify to awarding bodies when their recognition commences, and this will remain in force unless it is affected by either surrender or withdrawal.

## Continuing recognition of awarding bodies

### Standard Conditions of Recognition

18. To continue to be recognised, awarding bodies must demonstrate ongoing compliance with our [Standard Conditions of Recognition](#).
19. In addition, we publish Additional Standard Conditions for specific descriptions of qualifications. Any awarding bodies awarding these qualifications must comply with these in addition.

### Revising the Standard Conditions

20. If we revise the Standard Conditions, we will give reasonable notice to recognised awarding bodies to allow them time to comply with the changes. We will publish the revised Standard Conditions and notify the bodies subject to the Standard Conditions. We will specify the date from which the new or revised Standard Conditions will apply. Recognised awarding bodies will need to comply with the new or revised Standard Conditions to remain within the terms of recognition.

### Special Conditions

21. The recognition of an awarding body may, in addition, be made subject to other conditions such as "Special Conditions" that we specify either at the time of recognising the body or subsequently. We may apply Special Conditions to an awarding body to address specific issues that arise or address matters of compliance. Special Conditions as outlined in Schedule 3 (Special conditions to which recognition may be subject) may include:

- a) fee capping conditions<sup>1</sup>
  - b) transfer conditions<sup>2</sup>
  - c) conditions making provision about compliance
22. Where we decide to revoke or revise the Special Conditions, we will publish the revised Special Conditions and notify the affected bodies.

## Surrender and Withdrawal of Recognition

23. Recognition may cease where an awarding body decides to surrender either partial or full recognition or where an awarding body's recognition is withdrawn by us due to non-compliance. Withdrawal of recognition will be a measure taken only by Qualifications Wales in the most serious circumstances.

### Withdrawal of recognition

24. Where an awarding body fails to comply with a condition of recognition, we may withdraw its recognition of the body in respect of the award of:
- a) a specified qualification or description of qualification; *or*
  - b) every qualification in respect of the award of which the body is recognised.
25. The awarding body has the right to have any such decision reviewed by Qualifications Wales.
26. In determining whether to withdraw a body's recognition, we will act in a proportionate and appropriate manner to the non-compliance. In circumstances of non-compliance we may decide to use more than one of the options outlined in the [Taking Action When Things Go Wrong Policy](#) to achieve its outcome. The options may be used in escalation but are not intended to be indicative of defined stages. We will normally only consider withdrawing recognition after we have exhausted other options detailed in this Policy.
27. We will notify awarding bodies of our intention to withdraw recognition, outlining when and why we propose to withdraw recognition for a specific qualification or for every qualification that is recognised. The notice we provide to awarding bodies for the withdrawal of recognition will also advise of the right

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<sup>1</sup> Please refer to our [Fee Capping Policy](#)

<sup>2</sup> A transfer condition is a special condition requiring an awarding body, to make arrangements for a form of qualification which is or has been awarded by that body to be awarded by another awarding body.



to a review of the decision, the date by which the request for a review must be made<sup>3</sup> and the date that withdrawal is to take effect (in the absence of a request for a review).

### **Surrender of recognition**

28. Under schedule 3, paragraph 17 of the Act (surrender of recognition), awarding bodies must provide us with a surrender notice outlining its decision to cease to be recognised for the award of a specific qualification or description of qualification, or for all recognised qualifications.
29. We will give notice to an awarding body after receipt of a surrender notice, outlining that the body is to cease to be recognised in that respect and will include a date from which the surrender is to be effective as requested within the surrender notice or an extended date agreed between us and the awarding body.

### **Transitional arrangements**

30. Before we agree to the surrender or act to withdraw recognition, we will have regard to the need to avoid prejudice to persons who are seeking, or might reasonably be expected to seek, to obtain the form of the qualification concerned. Subject to this we will then agree an appropriate surrender date with the awarding body.

### **Related Documents**

The following documents must be read in conjunction with this policy:

- [General Criteria for Recognition](#)
- [Criteria for Recognition to award GCSE/GCE Qualifications](#)
- [Rules About Applications for Awarding Body General Recognition](#)
- [Rules about Applications for Recognition to award GCSE / GCE Qualifications](#)
- [Standard Conditions of Recognition](#)
- [Taking Action When Things Go Wrong Policy](#)
- [Regulatory Appeals Policy](#)

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<sup>3</sup> This is described in our [Regulatory Appeals Policy](#)