



Statement of Compliance 2017 Review

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1. Introduction

Qualifications Wales is the independent regulator of general and vocational qualifications in Wales. We regulate to achieve our principal aims of ensuring that qualifications, and the Welsh qualifications system, are effective for meeting the reasonable needs of learners in Wales and promoting public confidence in qualifications and the Welsh qualifications system.

We regulate awarding bodies against our [Standard Conditions of Recognition](#). Condition B2.1 of our Standard Conditions of Recognition requires all recognised awarding bodies to submit an annual statement of compliance to us. The statement of compliance is based on the awarding body's self-evaluation of their compliance status against all the Standard Conditions of Recognition. We expect awarding bodies to have an effective process in place to monitor their compliance on an ongoing basis. Awarding bodies with effective self-evaluation processes in place may identify a current and / or likely future non-compliance. Depending on the nature of the non-compliance, this may not be a significant cause for concern if they have a clear plan in place to address the issue and to return to full compliance.

The statement of compliance is a key monitoring tool that supports our intelligence-led and risk-based approach to regulation. We use the information and evidence collected from statements of compliance, alongside other information and evidence, to monitor awarding bodies' compliance with our Standard Conditions of Recognition.

This report describes how we reviewed the statements of compliance for 2017 and summarises our main findings.

2. Statement of compliance process

In the 2017 statement of compliance we asked awarding bodies to confirm whether they were:

- fully compliant with all our Standard Conditions of Recognition; and
- likely to be non-compliant with any of our Standard Conditions of Recognition within the next 12 months.

If an awarding body declared that they were non-compliant, or likely to be non-compliant over the next twelve months, we required them to submit an action plan detailing the steps that they were taking and / or planning to take to become compliant.

For 2017, we included additional lines of inquiry requests for information and evidence within the statement of compliance. We asked awarding bodies to:

- describe their systems, processes, controls and other arrangements which enable them to submit an accurate statement (condition B2);
- describe how they monitor that centres operate an effective complaints procedure or appeals process (condition C2.3i);
- describe their procedure for dealing with complaints in an appropriate and timely manner (condition D4.3/D4.4);
- describe their approach to assigning the number of hours for Total Qualification Time and Guided Learning Hours for their qualifications (condition E7);
- describe their process for dealing with appeals in an appropriate and timely manner (condition I1).

For the first time, awarding bodies submitted their statement of compliance electronically through our Qualifications in Wales (QiW) database. We produced a guidance video to support awarding bodies when submitting their statement.¹

¹ Guidance video can be found [here](#)

3. Compliance

3.1 Summary of compliance

All (112) awarding bodies that we regulated on the closing date of the statement of compliance submission window (29th September 2017) submitted statements of compliance to us. We reviewed all 112 statements of compliance in detail and considered the evidence submitted alongside all other relevant intelligence we hold on each awarding body. Our findings are presented in the graph below.



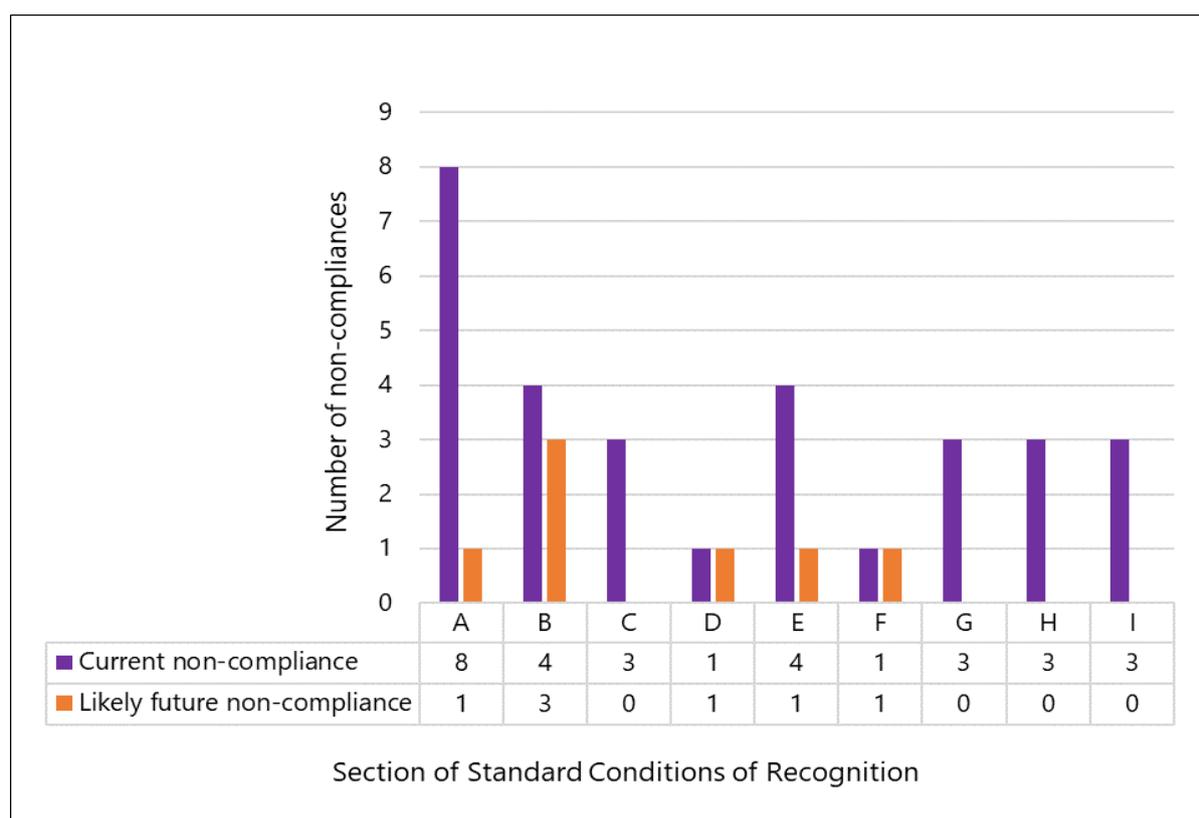
Graph 1: Statement of compliance findings following review

We found that 86% (96 of 112) of awarding bodies were compliant with all Standard Conditions of Recognition and were likely to comply with all Standard Conditions of Recognition for the next 12 months, compared to 75% (87 of 116) in 2016. 14% (16 of 112) of awarding bodies were non-compliant and/or likely to be non-compliant in the future, compared to 25% (29 of 116) in 2016.

Following a review of the evidence provided by one awarding body, we concluded that they were non-compliant with one condition (B2 – The accuracy of the annual statement to Qualifications Wales), overriding their original declaration of full compliance. We wrote to this awarding body to notify them that we considered them to be non-compliant and they subsequently submitted an action plan to us detailing the steps that they intended to take to become compliant.

3.2 Non-compliance by section of our Standard Conditions of Recognition

For the sixteen non-compliant awarding bodies, the graph below shows the instances of non-compliance by each section of our Standard Conditions of Recognition.



Graph 2: Non-compliance by section of the Standard Conditions of Recognition following review

As for the previous two years, the most frequent section of our Standard Conditions of Recognition with which awarding bodies were non-compliant is Governance (section A). Eight awarding bodies were non-compliant with Governance conditions.

In addition, one of the seven awarding bodies who declared non-compliance also identified Governance conditions as an area of likely future non-compliance.

Two awarding bodies declared non-compliance with condition A1.3. This condition requires awarding bodies to have awarded qualifications in Wales during the previous two-year period. Non-compliance with this condition does not reflect negatively on the quality of an awarding body's provision, but rather provides a means of identifying awarding bodies who may not need to maintain their recognised status in Wales due to a lack of demand for their qualifications. Awarding bodies declaring non-compliance with this condition have provided evidence within their action plans to demonstrate how they are actively seeking to increase their awarding activity in Wales over the next year.

Two awarding bodies declared non-compliance against A6.3, which is the requirement to establish, maintain and comply with an up to date written contingency plan. Awarding bodies declaring non-compliance with this condition have provided evidence within their action plans to demonstrate how they will put this in place. Two awarding bodies declared non-compliance with condition A8.1, where they had failed to take reasonable steps to prevent malpractice and maladministration in their development, delivery and award of qualifications. Awarding bodies declaring non-compliance with this condition have provided evidence of the steps they are taking to provide additional training for external moderators and auditors to address this identified issue, and the inclusion of the review of malpractice and maladministration within quality assurance procedures for centre moderation visits.

The second most frequently declared sections of our Standard Conditions of Recognition were B (The awarding body and Qualifications Wales) and E (Design and development of qualifications). Four awarding bodies declared non-compliance for section B and four different awarding bodies for section E.

Most instances of non-compliance for section B related to B5, representations regarding qualifications, and specifically the incorrect titling of qualifications in publicity materials. These materials have since been updated on the relevant awarding body websites. Most instances of non-compliance for section E related to assigning incorrect values of Total Qualification Time and Credit Values to qualifications. These values have now been updated on the QiW database and within relevant qualification specifications.

3.3 Non-compliance by individual conditions

The most frequent individual condition of current and / or likely future non-compliance declared by three awarding bodies was condition A6, which refers to the Identification and management of risks. Awarding bodies declaring non-compliance with this condition have outlined the steps they are taking to develop their strategic risk registers and business continuity plans, and to improve centre risk rating procedures.

Two awarding bodies declared non-compliance with condition B5.2, they believed that they had promoted some of their qualifications in a manner which posed a minor risk that they were misleading learners. Awarding bodies declaring non-compliance with these conditions have provided evidence within their action plans of the steps they are taking to become compliant and we are content that there was no deliberate attempt to mislead learners or other users of qualifications.

4. Lines of inquiry responses

4.1 Summary of responses

We identified that the sufficiency and quality of the lines of inquiry responses included in the statements of compliance varied significantly. Some awarding bodies included minimal information that was not supported by evidence, whilst others provided very detailed and evaluative information, with clear referencing between the text response and the supporting evidence. Across all lines of inquiry, stronger responses provided evidence of regular policy and process reviews.

4.2 Accuracy of your statement

We required awarding bodies to describe their systems, processes, controls and other arrangements which enable them to submit an accurate statement (condition B2).

The stronger responses outlined a clear and cohesive process for ensuring the accuracy of the statement, supported by appropriate evidence. Comprehensive detail was provided, outlining the process by which the statement was completed and critically reviewed by internal staff prior to the approval of the statement by the governing body. Stronger responses included extracts of spreadsheets or databases mapped to the Standard Conditions of Recognition, which were used for self-assessment and identified actions to address any potential areas of non-compliance. Weaker responses provided insufficient detail describing the process by which the statement was approved. In some cases, insufficient evidence was initially provided evidencing that all conditions had been reviewed as part of the completion of the statement.

4.3 Arrangements with centres – complaints and appeals

We required awarding bodies to describe how they monitor that centres operate an effective complaints procedure or appeals process (condition C2.3i).

Stronger responses evidenced how centre complaints and / or appeals processes were checked at centre approval stage, and details were provided of the monitoring

programme in place to check adherence to these policies, such as desk-based audits or centre inspection visits. A clear indication was given of the frequency of centre monitoring activities. Stronger responses also outlined how accessibility of the policies to learners and learner understanding was checked. Weaker responses provided minimal information about the centre approval process, and subsequent centre monitoring procedures.

4.4 Complaints

We required awarding bodies to describe their procedure for dealing with complaints in an appropriate and timely manner and upload their complaints policy for us to review (condition D4.3/D4.4).

Stronger responses outlined a clear and comprehensive process, which included the scope for complaints, the stages of escalation, and clarity of roles and responsibilities for managing the complaints process within the awarding body. In these responses, timelines were present for the acknowledgement and resolution of the complaint, and for the review of the policy. These responses also described the actions that would be taken if a complaint was upheld, including reference to the role of the regulator and how learners and centres could access the policy. Weaker responses failed to clearly outline the scope of their policy or include clearly defined stages for their complaints processes.

4.5 Total Qualification Time (TQT)

We required awarding bodies to describe their approach to assigning the number of hours for Total Qualification Time and Guided Learning Hours for their qualifications (condition E7).

Stronger responses detailed the process by which awarding bodies engaged with stakeholders including centres, professional bodies, employers and other awarding bodies to calculate and approve total hours for individual qualifications. Weaker

responses provided an inadequate description of their calculation process, and/or failed to provide evidence of engagement with relevant stakeholders.

4.6 Appeals

We required awarding bodies to describe their process for dealing with appeals in an appropriate and timely manner and to upload their appeals policy (condition I1).

Stronger responses outlined a clear and comprehensive appeals process, which included the scope for appeals, the stages of escalation, and clarity of roles and responsibilities for managing the appeals process within the awarding body. In these responses, timelines were present for the acknowledgement and resolution of each stage of the appeals process. These responses also included reference to the role of the regulator in escalating appeals decisions, and how learners and centres could access the policy.

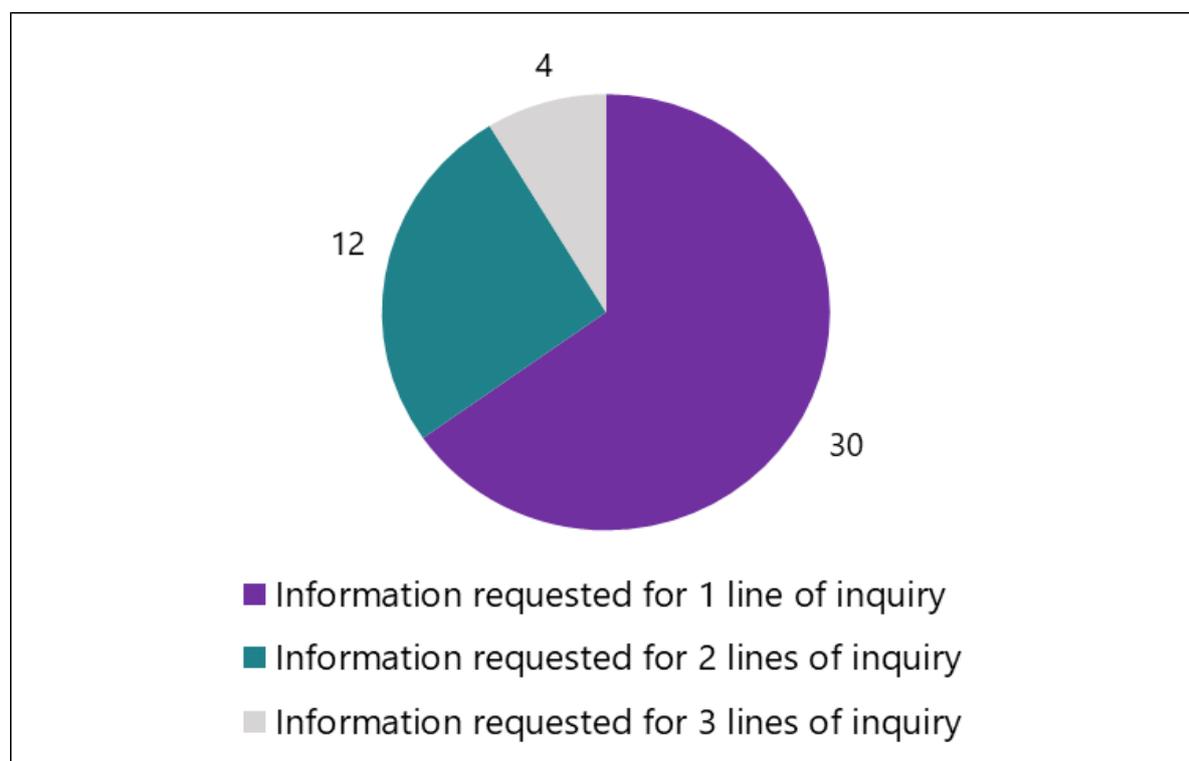
Some awarding bodies had not evidenced the full scope of grounds for appeals as defined within our Standard Conditions of Recognition. 29% (32 of 112) of awarding bodies were requested to provide further information on how their appeals process provided for the appeal of decisions covering both reasonable adjustments and special consideration (Condition I1.1b), and malpractice and maladministration (Condition I1.1c).

5. Our response to the statements of compliance

5.1 Requests for further information

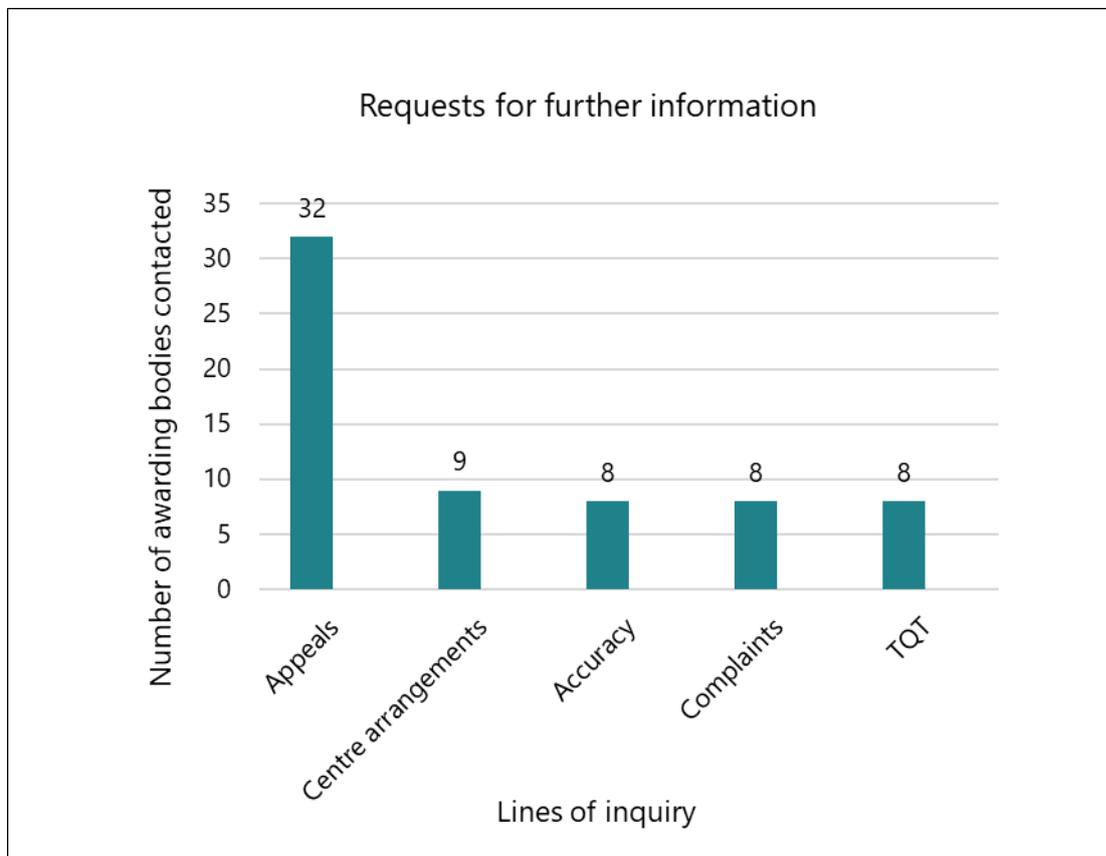
We identified that the sufficiency and quality of the responses included in the statements of compliance varied significantly. Some awarding bodies included minimal information that was not supported by evidence, whilst others provided very detailed and evaluative information, with clear linkage between the text response and supporting evidence.

Therefore, we requested additional information from 41% (46 of 112) of all awarding bodies, primarily due to their statements being unclear or containing insufficient evidence. This can be compared to the 2016 figure of 46% (53 of 116). Some awarding bodies were required to provide further information on more than one line of inquiry, as shown in the graph below:



Graph 3: Further information requested by number of lines of inquiry

The graph below illustrates the categories of requests for further information for the lines of inquiry. The most common category which required additional clarification was the line of inquiry relating to appeals.



Graph 4: Further information requested by line of inquiry category

We received satisfactory responses to all our requests for further information and / or evidence from awarding bodies. In a minority of cases, awarding bodies identified during this review that their existing policies or processes did not adequately address the conditions and provided us with evidence that these had subsequently been updated.

5.2 Action plans

We required all (16) awarding bodies that were non-compliant and / or likely to be non-compliant over the next 12 months to produce action plans. We are regularly monitoring these action plans and, where appropriate, we will conduct follow-up monitoring activity over the next year to validate the completion of the action plans.

We will use the outcomes and the evidence from the 2017 statement of compliance process to inform our future awarding body monitoring programme.

5.3 Reference to the regulator

In response to reviewing evidence submitted as part of the Statement of Compliance process, we asked several awarding bodies to amend their websites to make specific reference to Qualifications Wales as the regulator in Wales. We saw examples of references to Welsh Government and to QiW rather than to Qualifications Wales. QiW is our database of approved and designated qualifications.

6. The 2018 statement of compliance process

The 2018 statement of compliance submission window will be 1st June – 28th September. We are currently developing the lines of inquiry for 2018. We will write to awarding bodies in May 2018 to inform them of our requirements for the 2018 statement of compliance process.