

QUALIFICATIONS WALES

Regulatory Policy and Standards Committee

Terms of Reference



Version No: V2-1123	Review Date: November 2023	Next Review: November 2024
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Purpose

1. The purpose of the Regulatory Policy and Standards Committee (the Committee) is to consider and provide recommendations to the organisation on issues arising from Qualifications Wales' regulatory approach and activity.
2. Its recommendations must be endorsed by the Board before any action is taken forward, with the exception of those outlined in section 4 - Delegated Authority.
3. Where regulatory issues arise requiring specific attention, appropriate membership will be convened to deal with it on a case-by-case basis.

Role

4. The role of the Committee is to:
 - oversee qualification awarding – including operational information (e.g., entries, risks, reporting of results, etc.) and policy issues such as the approach to awarding and standard setting
 - provide a sounding board for the development of relevant regulatory or qualification policy;
 - provide guidance and recommendations in relation to regulatory approach, framework, and policies;
 - review the appropriateness and effectiveness of regulatory activity, maintaining oversight of the regulatory burden relative to the principles of good regulation and the impact of regulatory actions on awarding bodies;
 - oversee relationships with other qualifications regulators;
 - seek Board endorsement of its recommendations in relation to regulatory disputes;
 - provide a sounding board for relevant research projects;
 - monitor the management of risk relating to regulatory and reform activity
 - oversee monitoring of awarding bodies that present a high risk to the Welsh qualifications system

Delegated Authority

5. The Board has delegated the following functions to the Committee:

(a) approval of the following Regulatory policies:

- I. Policy on the approval of non-Priority Qualifications
- II. Policies on enforcement
- III. Policy/ies on complaints handling (other than corporate complaints)

Policy reviews that do not carry significant change can be noted and do not need to be presented to the Committee for approval.

- (b) approval of regulatory framework(s) and changes to Conditions including significant changes to the Standard Conditions of Recognition and Criteria for Recognition
Changes to the regulatory framework/conditions which are not considered significant can be noted and do not need to be presented to the Committee for approval.

approval of decisions to issue monetary penalties

- 6. It is the judgement of the Committee to determine anything novel, contentious or of particular national significance that therefore requires Board approval and should also be reported to Welsh Government.

Membership and Attendance

- 7. The Committee will comprise of up to six Board members, including the Chief Executive and the Chair of the Qualifications Wales Board.
- 8. Members of the Committee are appointed by the Chair of the Board who may, under the Boards scheme of delegation, add or remove members to meet the needs of the organisation.
- 9. The Executive Director for Regulation will attend the Committee but will not be a member of the Committee. Other members of staff or external advisors may also be required to attend from time to time to assist the Committee in the discharge of its duties.
- 10. A legal advisor may be co-opted onto the Committee, if needed, in addition to its ordinary membership.
- 11. The **quorum** for Committee meetings will be three members.

Support

- 12. The committee will be supported by the Head of Corporate Governance, who will be the Committee's main liaison with the organisation, coordinate the secretariat, facilitate Committee induction, and provide advice and information to Committee members (particularly in relation to the organisation's governance) at and between meetings, ensuring that effective arrangements are made for ordinary and special meetings.

Modus Operandi

- 13. The Committee will receive reports as appropriate from the organisation's Executive staff. It will report to the Board via regular committee assurance reports which will be presented by the Chair of the Committee to the next meeting of the Board following each Committee meeting.

14. Subject to the agreement of the Committee Chair, the Committee may approve committee recommendations and take decisions ex-committee provided a written resolution is supported by at least three Committee members.
15. The Committee will usually meet up to 4 times per year in a timely manner. The Committee may operate and meet Ex-Committee where appropriate to fulfil its business.
16. Where the committee is acting in relation to enforcement processes, the recommendations of the Committee, and the Board's endorsement of them, are subject to appeal by affected persons and will be reviewed by an independent reviewer when such a review is appropriate and in line with the relevant policy.