

Federation of Awarding Bodies – response to the Qualification Wales Consultation Regulatory Outcomes, July 2017

Overview of the Federation of Awarding Bodies

The Federation of Awarding Bodies is the trade association for vocational and technical awarding organisations (AOs) with 125 organisations in full membership ranging from large generic AOs to those working in specific occupational areas, including professional bodies.

Many of our members operate in Wales, as well as in other parts of the UK, and are recognised by Qualifications Wales. Compliance with the Standard Conditions of Recognition (SCRs) is of the utmost importance to our members and we know that they invest significant resources into trying to fully understand the SCRs so they can be confident that the systems and procedures they follow are fully compliant. We therefore have an interest in the consultation relating to the draft Regulatory Outcomes and the mapping of the SCRs to these outcomes and we welcome the opportunity to comment on the consultation proposals.

This response is submitted on behalf of the Federation's membership following consultation with them and with the Federation's Board of Directors. However, AOs are a diverse community and our members may wish to make their own individual submissions containing their own perspectives and emphases, in addition to any comments forwarded to the Federation for inclusion in this overall response.

Further information

Further information and clarification can be obtained from Ailin O'Cathain, Head of Policy, ailin.ocathain@awarding.org.uk, telephone: 02037863171

Consultation Questions

1. Are Qualifications Wales' intentions for introducing regulatory outcomes clear?

Yes [X]

If No, please give further details:

The Federation agrees that an articulation of clear and succinct regulatory outcomes will aid the communication of the aims of regulation to a range of stakeholder groups. We also believe that mapping the SCRs to the outcomes will be a useful mechanism in the future for ensuring that new Conditions are necessary and do not duplicate existing Conditions or add unnecessary

burden. Since their launch in 2011 we have seen the Conditions expand on a regular basis and the Federation welcomes any action that helps to protect our members against further proliferation where this is not essential and does not add value to the qualifications that are awarded to learners in Wales.

2. Do the proposed regulatory outcomes meet those aims?

Yes

If No, please give further details:

3. Do you think that the proposed regulatory outcomes are clear and easy to understand?

Yes, they are all clear and easy to understand

Some, but not all, are clear and easy to understand

No, none are clear and easy to understand

Please explain the reasons for your response. If you feel that either some or all are not clear or easy to understand, please state which ones, and include any suggestions for how these could be developed.

The Federation believes that most of the draft regulatory outcomes are clear. However, we feel the following outcomes would benefit from further clarification:

- Outcome 1 – it is not clear why reference is made to qualifications being recognised throughout the UK and internationally. Also, it is not clear how Qualification Wales would be able to measure this, particularly on an international basis. We agree that it is important for qualifications to be portable, but it is not entirely clear how this sits comfortably within a regulatory approach which increasingly includes ‘Wales-only’ approved/restricted qualifications.
- Outcome 2 is not clear in isolation from a copy of the Qualifications Wales Act. It leaves a question about the matters that are prescribed in the Act. This might be clear to a reader who is very familiar with the Act but it is unlikely to fully make sense to a learner or employer who is not familiar with the Act. It would probably benefit from a reference to the prescribed matters in an appendix or footnote. In the absence of fuller information, it does not communicate a full and clear message.

4. Do you agree that the proposed regulatory outcomes represent the shared goals of Qualifications Wales and Awarding Bodies?

Yes

If No, please specify which regulatory outcomes, and your reasons why:

5. Do you agree that outcome 1 is overarching, and that all other regulatory outcomes relate to it?

Yes [X] But please note our comments above in relation to the reference to ‘throughout the UK and internationally’.

If No, please give further details:

6. Are there any additional regulatory outcomes that you feel should be included?

Yes [X]

If Yes, please state the outcomes that should be included and your reasons why:

The regulatory outcomes make no reference to innovation and a commitment to regulation not acting as a barrier to innovation. This could perhaps be reflected on one of the current outcomes to show that innovation is a valued part of the qualification landscape. It will also be increasingly important, as qualifications are restricted in Wales and only offered by Awarding Bodies who win tenders, to demonstrate the regulator’s commitment to not allowing provision to stagnate as competition, a key driver for innovation, is removed from parts of the market.

7. Are there any proposed regulatory outcomes that you feel should be excluded?

Yes [X]

If Yes, please state the outcomes that should be excluded and your reasons why:

The Federation suggests that outcome 5 duplicates aspects of outcome 4. Outcomes 4 and 5 could be combined to read: ‘Assessments for regulated qualifications taken by learners in Wales are valid, reliable and consistently awarded’.

8. Do you agree with our proposed mapping of Conditions to the regulatory outcomes?

Yes [X]

If No, please state which Conditions should be mapped differently, and to which regulatory outcome:

The Federation agrees with most of the mapping. Some of the Conditions more obviously and closely map to the outcomes than others, but generally we can see the logic of the draft mapping. We would suggest a consideration of the following areas:

- H6 and I3 and I4 would more logically sit with outcome 5 related to awarding rather than in outcome 7 relating to information.

There are some minor errors in the mapping of the SCRs to the Regulatory Outcomes which will need to be addressed in the final version:

1. The consultation document states that each Condition has only been mapped to the most relevant Outcome. However, a couple of Conditions have been mapped twice. I4 has been mapped to Outcome 6 and 7. E7 has been mapped in Outcome 7 and 8.
2. Outcome 5 references I1 twice but the second reference should be labelled as I2 (the correct title of I2 is used but it has been mislabelled as being I1).
3. The mapping under Outcome 7 contains the wrong title for condition E3. This is included as 'Qualifications having an objective and support' but should be 'Publication of a qualification specification'.

Welsh language

9. Would the proposed regulatory outcomes result in any consequences (intended, or unintended) in relation to the following:

- (a) opportunities for persons to use the Welsh language, and
- (b) treating the Welsh language no less favourably than the English language

No [X]

If yes, please give further details:

As the regulatory outcomes will have no regulatory force and the Conditions map into them and continue to be the regulatory requirements with which awarding bodies must comply, then we can see no risks in terms of the Welsh language.

Equality Act 2010

10. Are there any positive and/or negative consequences on individuals or groups that may result from the introduction of regulatory outcomes that you would like to bring to our attention?

Please specify: The Federation has not identified any issues.

Any Other Comments

If you have any other comments on the introduction of regulatory outcomes and mapping of Conditions which we have not specifically addressed, please use this space to report them:

The issue of measurement of how successfully these outcomes are being achieved will need to be considered. It would be useful to have evidence which can be collected and compared over time to highlight areas that may require attention in the future. It would be useful to have an indication of how Qualification Wales intends to measure achievement of the outcomes.

Additional Information

If you supply contact details, we may contact you for clarification of your answers. Please see our statement on data protection at the start of this consultation.

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Tick here if you do not want your name published []

Personal Details

Are you responding as an individual or on behalf of your organisation?

Organisation []

Please select the type of organisation or choose ‘not applicable’ if responding as an individual.

Awarding body []

Centre []

Sector body []

Other stakeholder []

Other (please specify) [] – Awarding body trade association