



Policy Statement on Conducting Reviews of Qualifications and the Qualification System

July 2021



Version Control and Review

This is **Version 2** of Qualifications Wales' Policy Statement on Conducting Reviews of Qualifications and the Qualifications System. Following a scheduled review during 2020-2021, this revised version was approved and subsequently published in July 2021.

We keep our policies under review and any feedback on this policy is welcomed at any time. Please send any comments to policy@qualificationswales.org

This policy is also available in [Welsh](#).

Introduction

1. **Section 47(1)(f)** of the Qualifications Wales Act 2015 (“the Act”) requires us to publish a statement of our policy regarding the exercise of our functions under **Section 46(1) (Review and research)**.
2. Section 46 (1) of the Act states that Qualifications Wales may keep under review:
 - (a) the awarding of approved qualifications by a recognised awarding body;
 - (b) the awarding of forms of designated qualifications by a recognised awarding body;
 - (c) any other activities of a recognised awarding body which Qualifications Wales considers are relevant to the body’s recognition; and
 - (d) any other aspect of qualifications.
3. We must also keep under review the respective roles played by us, and by awarding bodies in respect of the qualification system as required by Section 46 (2).

Policy scope

4. This policy covers under what circumstances and in which manner we propose to carry out reviews of awarding bodies, qualifications and the qualification system.
5. It explains how we exercise our functions in relation to reviewing qualifications and the qualification system. This includes reviewing recognised awarding bodies and their compliance with the Standard Conditions of Recognition, and any other relevant regulatory requirements or contractual requirements that may also apply. It includes our approaches to conducting review activities that are exploratory in nature such as sector and qualification reform reviews.
6. Keeping regulatory policy statements prepared under Section 47 of the Act under review, and revising them where appropriate, are covered in our Policy Statement on Keeping Policies Under Review. Research work that we conduct

is not included in this document and for our approach to reviewing regulatory policies, these are found [here](#).

7. This document is for all stakeholders with an interest in the activities we carry out to review qualifications, awarding bodies and the qualification system.

Why we conduct reviews

8. We conduct review activities as part of on our regulatory functions as set out in the Act, and by doing so we are meeting our principal aims of:
 - ensuring that qualifications, and the Welsh qualification system, are effective for meeting the reasonable needs of learners in Wales; and
 - promoting public confidence in qualifications and in the Welsh qualification system.
9. Our [Regulatory Framework and Approach](#) sets out our approaches as a regulator, i.e., what we are aiming to achieve and how. This includes our Regulatory Outcomes which encapsulate what we set out to achieve. Conducting reviews of qualifications, awarding bodies and the qualification system form an important part of our approach. We will know when we have achieved our overarching vision when we have achieved the following Regulatory Outcomes:
 - Regulated qualifications and the qualification system are **responsive** to changing needs and circumstances, particularly in regard to the long-term benefit of Wales and its students;
 - Regulated qualifications in Wales are **inclusive** and **promote equality** of opportunity for students;
 - Regulated qualifications taken by students in Wales are **valid, reliable** and awarded to an appropriate standard;
 - Appropriate governance is in place to ensure **accountability** and regulatory compliance; and
 - Information reasonably required to deliver consistent and quality-assured regulated qualifications is **available and accessible**.

What we review

10. We use the term 'review' to cover a wide range of activities. Examples include:

- (a) **Compliance activities**, which are to ensure that recognised awarding bodies and the qualifications that they offer comply with the Conditions of Recognition and any other regulatory requirements that apply. We may use information collected from the awarding body's annual Statement of Compliance, or incidents and complaints brought to our attention that may identify the need for a review.
- (b) **Monitoring activities**, which are to monitor particular areas of risk across the qualification system. Each year we will agree and carry out a programme of monitoring activities of regulated qualifications.
- (c) **Sector Reviews**, through which we undertake review[s] of qualifications and the qualification system within a specific sector, or grouping.
- (d) **Thematic reviews**, where we undertake reviews of cross-cutting topics and issues related to aspects of qualifications and the qualification system that are of interest to us and/or brought to our attention through intelligence or by stakeholders. These activities may result in recommended action such as changes to a particular qualification's structure and/or assessment arrangements or can inform future monitoring activities in particular areas.

11. Sector and thematic reviews ensure that the range and nature of qualifications made available in the system in Wales are appropriate. Outcomes of review activities can be used to guide our decisions, action and advice.

Our approach to conducting reviews

12. When conducting reviews, we will have due regard to the eight matters outlined in the Act which informs how we conduct reviews.

13. We will also bear in mind the five principles of good regulation ensuring review activities are:

- (a) Transparent;
- (b) Accountable;
- (c) Proportionate;
- (d) Consistent; and
- (e) Targeted.

14. The areas on which we decide to focus our reviews will depend on the circumstances. For example, monitoring and compliance reviews will often relate to risk or could come about from evidence or intelligence we have received or collected. Sector reviews are more likely to be selected based on economic impact and sector priorities identified by us or identified by our stakeholders and recognised or included in national policies or reports.

How we conduct reviews

15. When conducting review activities, we will act in the following manner:

- (a) We will consider a range of risk factors when planning our monitoring activities in order to identify awarding bodies, regulated qualifications or areas of the qualification system that pose the greatest risk to the compliant development, delivery and award of qualifications to learners in Wales and may undermine public confidence in qualifications;
- (b) We will aim to publish an annual schedule of reviews planned in accordance with relevant regulatory strategic priorities and objectives, where possible;
- (c) We will provide reasonable notice to recognised awarding bodies and other relevant stakeholders of our intention to conduct reviews at a time deemed appropriate by us;
- (d) We will inform recognised awarding bodies of our requirements for information through written notices, in line with Condition B4;
- (e) We will clearly set out the aims and methodology of each review as well as whether/how the outcomes will be reported; and
- (f) We will conduct reviews in a professional and confidential manner in accordance with our Values:
 - **Collaborative** in the way that we work
 - **Thoughtful** in the approaches we take
 - **Positive** in our outlook
 - **Learning** from experience and others

16. We will process information collected through review activities in accordance with the GDPR and UK Data Protection Act 2018 under the legal basis that it is necessary for the performance of a task carried out in the public interest or in the exercise of statutory functions of Qualifications Wales in relation to the recognition of awarding bodies.

Outcomes of reviews

17. As a result of a review, further work or actions could be taken, such as further regulatory activities including monitoring, audit, or enforcement action, as well as qualification reforms. These are some examples:

- (a) Deciding, jointly with the Welsh Ministers to include a qualification on the Priority Qualifications List;
- (b) Restricting approved qualifications to avoid inconsistencies between different forms of the same qualification;
- (c) Commissioning new qualifications to be developed or selecting qualifications to be approved;
- (d) Revoking designated qualifications if they are the same as or similar to approved qualifications;
- (e) Directing an awarding body to take a particular action or to achieve a particular outcome;
- (f) Imposing a monetary penalty;
- (g) Imposing special conditions of recognition, such as a transfer condition; or
- (h) Imposing a fee capping condition.

18. Should we identify, in undertaking our review work, any cases of non-compliance with the Standard Conditions of Recognition or any other applicable regulatory documents or contractual requirements, we will consider what action to take in line with our [Taking Action When Things Go Wrong](#) policy. Significant instances of non-compliance may also be reported to relevant authorities.

19. As outlined in [Taking Action When Things Go Wrong](#), where appropriate, awarding bodies will be given an opportunity to comment on the outcomes of a review relating to them prior to any publication.

20. If we propose significant changes as a result of a review, then a Regulatory Impact Assessment may be undertaken where appropriate, in order to assess the impact of any options we are proposing.
21. Following a review, we may decide to share information relating to outcomes of reviews with relevant stakeholders, including other Regulators, or publish the outcomes of our reviews and / or plans for follow up proposed actions on our website, depending on the type of review. In determining whether to publish outcomes of a review we have undertaken; we will consider whether it is in the public interest to do so.
22. We will report on our review activity in our annual report to the Welsh Government.

Related regulatory documents

- The [Standard Conditions of Recognition](#) sets out the Conditions that all awarding bodies and their qualifications must meet when developing, delivering and/or awarding qualifications in Wales.
- The [Regulatory Framework and Approach](#) sets out our approach to regulating qualifications, awarding bodies and the qualification system.

Information about how we might use our enforcement and sanctions powers in cases of non-compliance are contained within our policy [Taking Action When Things Go Wrong](#).

A list of our Regulatory Documents can be found [here](#).

Annex 1

Condition B4 – Notice to provide information to Qualifications Wales

B4.1 Where Qualifications Wales serves a written notice on an awarding body requiring an awarding body to provide it with any information that it seeks for the purpose of performing its functions, the awarding body must:

- (a) comply with the terms of that notice; and
- (b) ensure that all information provided to Qualifications Wales in response to such a notice is accurate and complete.

B4.2 Any such notice may include terms which:

- (a) specify the time within which the information is to be provided;
- (b) specify a form in which the information is to be provided;
- (c) require that the information is accompanied by such supporting documents or data as may be described; and
- (d) require an awarding body to provide information which is already in its possession, or which has to be created or obtained by it.

B4.3 An awarding body must ensure that all information provided to Qualifications Wales in accordance with this Condition is accurate and complete.