Consultation on the approach to be taken to the development of a new suite of qualifications in Health and Social Care, Childcare and Playwork

Date of issue: 1 September 2016
Action required: Responses by 5 October 2016
Overview

This consultation seeks the views from stakeholders on the approach to be taken to the development of a new suite of qualifications in Health and Social Care, Childcare and Playwork. The consultation outlines the options considered by Qualifications Wales, indicates our preferred approach and provides an opportunity for awarding bodies and other interested parties to give feedback.

How to respond

Responses to this consultation should be submitted via the following link arrive by 18:00 on 5 October 2016 at the latest.

Further information and related documents

Qualifications Wales will take responses to this consultation into account in determining its next course of action. A report summarising the consultation responses will be published on the Qualifications Wales website shortly after the consultation period has ended.

Contact details

For further information:

Email: healthcarereview@qualificationswales.org
Data protection: How the views and information you provide us with will be used

Any response you send us will be seen in full by Qualifications Wales staff dealing with the issues related to this consultation. It may also be seen by other Qualifications Wales staff to help them plan for future consultations.

Qualifications Wales intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This simply helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response and we will then redact them.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see the information held by many public bodies, including Qualifications Wales. This includes information that has not been published, although the law allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account, but there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would contact the person and ask their views before we finally decided to reveal the information.

Qualifications Wales will hold all data electronically and it will be stored in line with our ICT policies and Information Handling Guidelines. Please be aware that where information is collected through Survey Monkey and other online tools, the data will be held on the server of the company providing the service. Qualifications Wales will download this data and delete it from the company server once the consultation period has closed.
Preamble

In July 2016 we published a report on our sector review of qualifications and the qualification system in Health and Social Care (including childcare and playwork) [available here]. In that report we identified a number of concerns about current qualifications and the qualification system¹ and made a commitment to overseeing the development of a new suite of qualifications to meet the needs of learners in Wales. Having considered how we might best meet this commitment we are now considering imposing a ‘restriction’ on a new suite of qualifications for the sector. We have evaluated options for achieving this and the approach we favour involves commissioning a single awarding body to develop each qualification² so that there would only be one approved version of each of those qualifications. This would consequently determine the qualifications that could be used on funded programmes of learning in Wales for first teaching in September 2019.

This consultation document:

- sets out the options we are considering;
- explains the advantages we see in restricting qualifications in this sector;
- outlines the process we would need to follow if we were to implement a restriction;
- summarises the impact assessments we have undertaken;
- asks for your views on our preferred approach.

We are mindful that the development of a new suite of qualifications for learners in Wales would increase the differences between the qualifications taken in Wales and those taken elsewhere in the UK and that learners taking qualifications in Wales may wish to seek employment elsewhere. While we must prioritise the needs of learners and employers in Wales, we will continue to emphasise the need for qualifications in Wales to be portable.

Please read through this document in full before responding to the questions asked on our online consultation response form. To help you in preparing your response, we have reproduced the questions in Annex [4] at the end of the document. Please note that you need to reply online for your response to be considered. When you are ready, the online consultation response form can be found here. This consultation closes at 18:00 on 5 October.

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¹ The qualification system is the infrastructure which underpins and enables the delivery of qualifications – it includes the way that qualifications are developed, delivered and awarded as well as what is developed, delivered and awarded.

² This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
Which qualifications are we suggesting that we should restrict and commission?

1. The qualifications that we believe need to be developed for learners in Wales were described in our report on our Health and Social Care sector review as follows:

   a) **One Level 1/2 qualification primarily targeted at learners aged 14-16, but which may also be taken post-16, with broad coverage of ‘Caring for People’**.

   b) **Level 2 and 3 qualifications which share a common core but have different elective pathways to cover the knowledge and understanding, skills and competence required for progression into, or within, the workplace (and, where applicable, for registration as a qualified practitioner) in:**

   - Social care – Adult
   - Social care – Domiciliary
   - Social care – Children and young people
   - Childcare, learning, development and play work
   - Health care support work

   c) **One Level 3 core and options-based ‘academic’ qualification that complements and can be taken either alongside those listed in b) above or separately and which assesses the knowledge, skills and understanding required for progression to higher education in a range of health & social care and child care & early years-related areas. This would typically, but not exclusively, be taken by learners on two-year full-time programmes of study in further education.**

   d) **One Level 4 qualification for learners in a range of health, social care and play workplace settings, which allows for combinations of elements of:**

   - preparation for leadership and management roles (without requiring fulfilment of such a role);
   - wider study in aspects of specialist care;
   - preparation for higher study.

   e) **One Level 5 management of care qualification with a central core, combined with elective pathways depending on the workplace setting which:**

   - qualifies learners who are employed in management roles or in highly specialised care roles;
   - is sufficiently demanding to provide a basis for higher study.
2. Since publishing the report we have continued our discussions with stakeholders and have amended this list of qualifications slightly, adding in an ‘academic’ knowledge based route at Level 2 in both Health and Social Care and Children’s Care, Learning, Development and Playwork. These qualifications would offer learners progression to further education at Level 3 or progression to Level 2 practitioner qualifications. They would only be available to post-16 learners as it remains our view that there should be one cross-cutting qualification for learners aged 14-16. The level 2, 3, 4 and 5 qualifications would all be separated into two routes: a ‘Health and Social Care’ route and a ‘Children’s Care, Learning, Development and Playwork’ route - but all routes would contain a common core. This separation acknowledges the differences in these specialisms.

3. We are also seeking views on the development of an Occupational Health Support Worker pathway as an optional route within the Level 3 Health and Social Care Practitioner (adults) qualification.

4. One further aspect we would welcome views on is whether a range of Level 4 specialist qualifications should be included in any list of restricted and commissioned qualifications. It has been suggested that these should include:

- Social Care Advanced Practitioner with potential specialist pathways for
  - Dementia
  - Learning Disabilities and Autism
  - Advocacy
  - Looked After Children
  - Social Services Practitioner

- Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for
  - Learning Disabilities and Autism
  - Advocacy

These specialisms represent important areas for the sector and for the personal development of individual staff but are likely to attract relatively small numbers of learners.

5. Subject to the outcomes of this consultation, we are proposing to recommend to the Cabinet Secretary for Education that the following qualifications are included on the List of Priority Qualifications. Subsequent to inclusion on the List, we are of the view that we should apply a restriction to the effect that we would only approve one version of each of these qualifications. Should we propose to go ahead with such a restriction we would issue a formal notice of that proposal under section 14 of the Qualifications Wales Act 2015 (‘the Act’).
The suggested list of qualifications

Level 1: Introduction to Health, Social Care and Child Care - Principles and Contexts
Level 2: Introduction to Health, Social Care and Child Care – Principles and Contexts

Level 2: Health and Social Care - Principles and Contexts (Adults, Children and Young People) *(knowledge based qualification, to be approved for post-16 learners only)*
Level 2: Health and Social Care Practitioner (Adults)
Level 2: Children’s Care, Learning, Development and Playwork – Principles and Contexts *(knowledge based qualification, to be approved for post-16 learners only)*
Level 2: Children’s Care, Learning, Development and Playwork Practitioner

Level 3: Health and Social Care - Principles, Theories and Contexts (Adults, Children and Young People) *(knowledge based qualification)*
Level 3: Health and Social Care Practitioner (Adults)
Level 3: Health and Social Care Practitioner (Children and Young People)
Level 3: Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*
Level 3: Children’s Care, Learning, Development and Playwork Practitioner

Level 4: Leadership and Management of Health and Social Care – Principles, Theories and Contexts *(knowledge based qualification)*
Level 4: Leadership and Management of Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*

Level 5: Leadership and Management of Health and Social Care – Practitioner
Level 5: Leadership and Management of Children’s Care, Learning, Development and Playwork – Practitioner

Level 4: Social Care Advanced Practitioner with potential specialist pathways for
  - Dementia
  - Learning Disabilities and Autism
  - Advocacy
  - Looked After Children
  - Social Services Practitioner

Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for
  - Learning Disabilities and Autism
  - Advocacy
6. We envisage that this new suite of qualifications would, for courses or learning programmes beginning in September 2019 onwards, replace a wide range of qualifications that are currently taught on publicly funded courses (or learning and assessment programmes) for learners in Wales, including, but not limited to:

- GCSE Health and Social Care
- GCSE Home Economics: Child Development
- GCE A Level Health and Social Care

- Awards, Certificates, Extended Certificates, Introductory Diplomas, Diplomas, Subsidiary Diplomas and Extended Diplomas at levels 1 to 3 in, or directly comparable with, qualifications with these titles:

- Children’s Care, Learning and Development
- Health and Social Care
- Introduction to Health and Social Care (adults and children and young people)
- Early Years and Childcare
- Playwork

- Level 5 Diplomas in Leadership for Health and Social Care Services (all variations)

7. These legacy qualifications would be phased out in such a way that learners already taking them would not be disadvantaged.

8. Qualifications in related subjects – such as complementary therapies, or specialised aspects of care - which do not significantly overlap with these qualifications would not be affected.

Why is there uncertainty about the inclusion of Playwork qualifications?

9. Playwork qualifications were included within the scope of our sector review. Compared with the numbers of learners taking qualifications in the other sub-sectors, take-up of the existing Playwork qualifications is low – partly because it is often difficult for playworkers, who can be seasonal workers and part time workers, to commit to taking full qualifications. Nevertheless, some childcare workers also undertake Playwork – and some playworkers also work in childcare. In reviewing the Playwork qualifications, we identified many of the same issues that we found in the other areas of the review. There was broad agreement that Playwork, like the other areas of the broader sector, is based upon person-centred approaches.

10. It seems to us, therefore, there is a good argument for including Playwork qualifications at levels 2 and 3 within the new suite of qualifications. These would
draw upon the common core used in other qualifications in the suite and focus on person-centred approaches in a bilingual context. This approach would also add flexibility to the workforce.

11. In order to take forward this work, we require the support of the key sector representatives in this area. At the point that we published our report on our sector review, we had not received an agreed view from the Playwork Education and Training Council for Wales (PETC Wales), which is a representative body in this sector in Wales. While some PETC Wales members were supportive of the suggestion to include Playwork within the new suite, others had concerns about moving away from the existing qualification structures which they felt to be valuable. We undertook to invite further views from the sector through this consultation document – so would particularly welcome informed views on whether Playwork qualifications should be included within the new suite.

What does ‘imposing a restriction’ mean?

12. The Act enables us to restrict the number of versions of priority qualifications that we will approve. Only qualifications that are approved (or ‘designated’) by Qualifications Wales are eligible for use on publicly funded courses for learners under the age of 19 in Wales. Other requirements - such as apprenticeship frameworks and the Care Council for Wales’ published list of qualifications that it accepts, may also specify the use of approved (or designated) qualifications.

13. If we decide that we need to avoid inconsistencies between qualifications and/or if we wish a single awarding body to develop and/or award a new qualification we may, using the powers given to us by the Act, determine that we will ‘restrict’ our approval to only one version of a named qualification. Maintained schools, further education colleges and publicly funded work based learning providers would then only be able to offer courses leading to the approved versions of this qualification rather than to similar qualifications that are not approved1. Once approved restricted qualifications were in place, we would not designate or approve similar qualifications.

14. Further details on the processes for commissioning and selecting awarding bodies are provided in our Restricted Priority Qualifications policy published in August 2016 [available here]. The specific steps that we would take, subject to the outcome of this consultation, for Health and Social Care, and Childcare, qualifications, are outlined in the description of Option 3 in the sections below.

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1 A course provided to a learner with a learning disability does not have to lead to an approved or designated qualification. Furthermore, learning providers may apply to the Welsh Ministers for a specific course to be excluded from the requirement to use an approved or designated qualification – although we envisage that such an application would be the exception rather than the rule, for example in the case of children of forces families moving schools mid-course.
Why are we considering that there should be new, restricted qualifications?

15. Our sector review identified a number of concerns about existing qualifications in Health and Social Care, Childcare and Playwork. In summary the qualifications that are currently available, when considered as a whole, demonstrate some or all of the following features:

- the offer is complex, with unclear progression routes between sub-sectors and between levels of learning, and some gaps;
- there is insufficient coverage of the legislative context within Wales;
- they do not emphasise, sufficiently, person-centred approaches which underpin the principles and values of care;
- they have gaps or weaknesses in content coverage or core requirements, including insufficient coverage of playwork in childcare and early years, dementia care and domiciliary care;
- the assessment of competence is often too atomised, too broad, too shallow and can result in duplication;
- the assessment of knowledge can be ineffective, insufficient and non-contextualised;
- the terminology used in assessment can be a barrier to learners;
- approaches to assessment are inconsistently applied across awarding bodies;
- assessors sometimes have insufficient levels of professional expertise;
- there is often insufficient or ineffective provision of Welsh-medium assessment.

16. In our report on the sector review, we committed to take action to make arrangements for the development of a new suite of qualifications to address these issues and indicated that we would consult on the proposed approach for doing so.

17. In developing our preference for how we should take action we have considered three options:

- Option 1: ask awarding bodies to respond to the findings in the report;
- Option 2: publish approval criteria and allow multiple awarding bodies to submit qualifications against these criteria without imposing a ‘restriction’; or
- Option 3: impose a ‘restriction’, enabling us to commission a single awarding body to develop each qualification\(^1\) so that there would only be one approved version of each of those qualifications for use on funded programmes of learning in Wales.

\(^1\) This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
18. This consultation document:

- summarises our analysis of the benefits and disadvantages of options 1, 2 and 3;
- sets out our conclusions based on this analysis;
- gives you an opportunity to provide us with feedback both on our assessment of the options.

**Option 1: Ask awarding bodies to respond to the findings in the report**

*What would option 1 look like?*

19. With Option 1 we would ask awarding bodies to consider the findings of our review and to make changes to their qualifications to address these findings. We could ask awarding bodies to do so voluntarily – or we could be more specific in our requirements, for example by imposing a special condition of recognition on awarding bodies offering qualifications in this sector, or by asking awarding bodies to ensure that current Welsh legislation was reflected in the qualifications. Awarding bodies who made changes to designated qualifications would then resubmit the revised qualifications for designation under Part 5 of the Qualifications Wales Act.

*What are the benefits of Option 1?*

20. Option 1 represents the lowest level of regulatory intervention of the three options. If it resulted in changes to existing qualifications, rather than their replacement with new ones, this would provide continuity for learning providers and learners, and would reduce disruption. Any awarding body currently awarding qualifications in this sector in Wales would have the option to continue to offer those qualifications, with modifications. Centres would retain their choice of awarding body and be able to maintain their existing working relationship.

*What are the disadvantages of Option 1?*

21. Retaining the existing range of provision would not reduce complexity or provide the clear progression routes that a new, coherent suite would offer.

22. Inconsistencies in approach and coverage might be reduced, but would be likely to continue.

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1 There are a number of matters on which we will be asking awarding bodies to respond in any case in relation to the existing qualifications – this option refers to the need to make changes of a more substantial nature.
23. It is unlikely that the extent of the changes required – to structure, content, assessment and quality assurance arrangements - would be satisfactorily achieved by amendments to existing qualifications.

24. Also, without developing new approval criteria (see Option 2, below), we would not have a clear and detailed basis for judging whether the revised qualifications were likely to be effective in meeting the needs of learners, employers and/or higher education providers.

Conclusion

25. On balance, we believe that option 1 would not permit the scale of change that our sector review has indicated to be necessary and would therefore not be in the best interests of learners in Wales.

Option 2: Publish approval criteria and allow multiple awarding bodies to submit qualifications against these criteria without imposing a ‘restriction’

What would Option 2 look like?

26. With Option 2 we would seek the Welsh Ministers’ agreement to list the desired suite of qualifications on the List of Priority Qualifications, having first developed, and consulted upon, detailed approval criteria. We would want the suite of qualifications to be coherent and consistent across Wales, with improved content, assessment methods and quality assurance arrangements. Therefore, we would need to give full details, in the approval criteria, of the content, assessment and quality assurance arrangements that we would require. Awarding bodies would then have the option to develop new qualifications to address the approval criteria and to apply to Qualifications Wales for approval of their specifications. For Social Care and Childcare qualifications awarding bodies would also need to ask the Care Council for Wales (or its successor body, Social Care Wales) to endorse any application for approval prior to submitting the application to us.

What are the benefits of Option 2?

27. Option 2 could, potentially, result in a new, improved suite of qualifications for learners in Wales. If Qualifications Wales were to develop high quality, detailed and prescriptive approval criteria this could lead to improved consistency across the suite of qualifications and probably would address the issues about content, assessment and quality assurance that were identified in the sector review. Any awarding body that wished to offer one or more qualifications in this sector in Wales would be able to apply for approval. If all awarding bodies currently awarding qualifications in the sector continued to do so, then learning providers could continue to choose their preferred awarding body.
What are the disadvantages of Option 2?

28. Wales is a small country – and we have concerns that, although the qualifications market in Health and Social Care, Childcare and Playwork is bigger than in many other sectors in Wales, it is unlikely to be viable for multiple awarding bodies to invest in the level of new development that would be required and then to compete for an uncertain share of this relatively small market. While some existing qualifications have been developed to meet the needs of Wales, these have, more often, been adaptations of existing qualifications originally designed to meet the needs of learners in England.

29. Even if multiple awarding bodies were willing to develop these qualifications, other concerns might arise. In order to improve the consistency and improved quality of the new suite of qualifications to the extent that the sector review indicated was necessary, the approval criteria would need to be so prescriptive about both the content and the assessment methodology of the qualifications that, in effect, responsibility for developing the assessment regime would lie with Qualifications Wales rather than with the awarding body (bodies). This would not enable the maximum advantage to be taken of the expertise of awarding bodies in designing qualifications, and could result in awarding bodies not having ownership of, or confidence in, the design of qualifications that they were then tasked to deliver and award. Qualifications Wales would need to recruit qualification developers to design the assessment model, while awarding bodies already have this expertise in-house. Should the assessment arrangements subsequently prove difficult to implement effectively, lines of accountability could be unclear.

30. Even with the improved consistency that prescriptive approval criteria should bring, there would be a risk of inconsistencies in assessment and quality assurance where qualifications are awarded by more than one awarding body.

Conclusion

31. On balance, we believe that Option 2 is possible to deliver, but that the disadvantages outweigh the advantages and that Option 2 could represent a missed opportunity to simplify and strengthen the qualification system for Health and Social care for the benefit of learners, employers, higher education institutions and, ultimately, those who receive care.
Option 3: Impose a ‘restriction’, enabling us to commission a single awarding body to develop each qualification\(^1\) so that there would only be one approved version of each of those qualifications for use on funded programmes of learning in Wales

What would Option 3 look like?

32. With Option 3, we would seek the Welsh Ministers’ agreement to list the desired suite of qualifications on the List of Priority Qualifications. Providing such agreement was obtained we would add the qualifications to the list. We would publish a ‘determination’ (under section 14 of the Act) to specify that the maximum number of forms (versions) of each qualification that might be approved would be one.

33. We would then take steps to enable us to make arrangements, under section 15 of the Act, for an awarding body (or awarding bodies) to develop the qualifications that we had ‘restricted’ in this way. Using the Concessions Contract Regulations 2016 we would hold a competition in which awarding bodies would be invited to bid to be the sole provider of some or all of these qualifications. We would follow the process set out in our “Scheme Made Under Section 15 of the Qualifications Wales Act 2015” provided at annex [5]. This involves a two-stage bidding process where awarding bodies would provide evidence against criteria to demonstrate their suitability for taking this work forward. A simplified list of the type of attributes we might be looking for is provided at annex [1] – but this would be expanded upon to provide more detailed requirements should we proceed with the restriction.

34. We envisage that awarding bodies would be able to compete either to offer the whole suite of qualifications, or one or more ‘lots’ of qualifications, according to their preference or expertise. Details of the ‘lots’ that we are suggesting are set out in annex [2], and we would welcome your views on this aspect of the consultation.

35. If we proceed with option 3, the, the process of holding the competition would take some time and the award of concession would probably take place in the summer of 2017. In the meantime, Qualifications Wales would work with sector representatives (including service users) and subject experts to develop substantially the content requirements for the qualifications. Once the concession contract had been awarded, the successful awarding body (bodies) would work, for about one year (until the summer of 2018), to develop the assessment methodologies for the qualifications. We envisage a period of close, iterative, engagement between the awarding body (bodies), Qualifications Wales and learning providers, to ensure that the qualifications have the best possible chance of being fit for purpose.

\(^1\) This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
36. Once the awarding body (or bodies) had developed the qualifications they would submit them for approval by Qualifications Wales against final approval criteria that would probably be published early in 2018.

37. The new qualifications, subject to being approved, would be published in September 2018 to enable learning providers to prepare for first teaching from September 2019. Qualifications Wales would make arrangements to support the effective management of change and to ensure that learning providers were well supported in the three years between now and first teaching of the new qualifications.

38. The Act requires that approval of restricted qualifications must be for a limited period. In awarding a concession we are required to allow sufficient time for the successful bidder to recoup development costs. We envisage that, in this case, it would be appropriate to allow for five years of entrants for the new qualifications. After this time, Qualifications Wales would need:

- *either* to hold a new competition to select an awarding body for replacement qualifications to be developed
- *or* to hold a competition where awarding bodies would be invited to submit specifications from which Qualifications Wales would select one for approval
- *or* to revoke the restriction and to allow additional versions of qualifications to be submitted for approval.

*What are the benefits of Option 3?*

39. Providing that we were able to award a concession agreement to one or more awarding bodies of the appropriate calibre, Option 3 would be likely to result in a new, single suite of qualifications for Health and Social Care, Childcare and Playwork that addressed the issues raised in the sector review and provided a clear and coherent progression route for learners.

40. Option 3 would give Qualifications Wales the opportunity to select an awarding body (or bodies) to develop the qualifications on the basis of their ability to meet our requirements and to develop and run high quality qualifications in the sector. Additionally, it would provide the successful awarding body (bodies) with a relatively secure market to underpin the viability of investing in the development of new qualifications.

41. There would be no risk of inconsistencies between different versions of the qualifications – this would improve confidence in the comparability of learners’ performance.

42. Having a single suite of qualifications, with each qualification being awarded by a single awarding body, would provide opportunities to strengthen the qualification system in Health and Social Care in other ways. It would make it easier for learning
providers across Wales to collaborate to support the consistency and quality of assessment: all funded centres in Wales would be preparing learners for the same version of the qualification. It would also be more likely to enable more efficient and effective deployment of Welsh-speaking assessors and the development of Welsh-medium resources: Welsh-speaking learners would always be taking the same qualification as their English-speaking peers.

43. Simplifying the range of core qualifications in this sector would make it easier for learners, parents, employers and further and higher education providers to be clear about which qualifications equipped learners for jobs and for higher level learning in this sector.

What are the disadvantages of Option 3?

44. Option 3 represents the most significant level of change from the present system and change can be unsettling and carries its own risks.

45. There is a risk that no awarding bodies might bid for one or more of the ‘lots’ – or that we might be unable to select an awarding body that met all of our criteria. If we did select one, there would then be the risk of complete reliance upon one awarding body in respect of each qualification.

46. It is likely that some learning providers would find themselves having to work with a different awarding body from those with which they are accustomed – and switching might feel unnecessary and/or inconvenient.

47. Some awarding bodies, who presently award qualifications in this sector in Wales, might be unsuccessful in the bidding process – resulting in a loss of business, some of which might be cross-subsidising other qualifications provision in Wales. This, in turn, could lead to a loss of capacity in awarding bodies to compete for future contracts, should the concession be renewed.

Conclusion

48. Whilst recognising the disadvantages described above, we believe that on balance, option 3 offers the best chance of addressing the issues raised in our sector review and perhaps a once in a generation opportunity to create a suite of qualifications that would give Welsh learners the very best provision. While we are very conscious of the risks attached, and in no way wish to downplay them, we believe that the scale of the potential benefits of this approach outweigh those risks.

Summative conclusion

49. Having considered the options, we are of the view that Option 1 would not deliver the outcomes that we recommended in the report of our sector review. While we
will ask awarding bodies to respond to some of the issues identified in the short term, we believe that new qualifications are needed and Qualifications Wales will need to play a stronger role than that set out in this option.

50. While it would be possible to deliver our commitments through Option 2, our assessment is that this route would be less likely to result in the clear, consistent suite of qualifications that are required than the route set out in Option 3. We are therefore of the view that we should proceed with Option 3. We want to know whether you agree with our conclusion and with the rationale for it.

On what specific grounds would we determine these restrictions?

51. In our Restricted Priority Qualifications policy, we set out three examples of when we might determine to restrict a qualification. These were:

- where there is a need for specific qualification content in Wales due to curriculum or devolved policy requirements and restriction would support the economic viability for awarding bodies to develop such qualifications for Wales;
- where there is a need for specific assessment arrangements (including, for example assessment through the medium of Welsh) in Wales due to curriculum or devolved policy requirements and restriction would support the economic viability for awarding bodies to develop such qualifications for Wales;
- where Qualifications Wales identifies that inconsistency between different existing forms of the same qualification is significant and problematic.

52. In our sector review we identified that “with health, social care, education and skills policies being devolved matters for Wales, and with significant recent legislation in relation to all of these, it is essential to ensure that learning and assessment properly accommodates requirements for Wales”. This is in line with the first example in the policy.

53. In our commitments to action we undertook to include “knowledge and understanding of the principles of person-centred care in a bilingual culture” in the core of each of the new suite of qualifications. Given that a significant proportion of the content of the qualifications would, therefore, be specific to Wales it is only likely to be commercially viable for one awarding body to develop each interconnected ‘bundle’ of qualifications. This is in line with the first example in the policy.

54. We also require new forms of assessment for the qualifications – the sector review set out a number of concerns about the current assessment regime for many of the qualifications. Given that Wales is a small nation, when compared with the wider market that most awarding bodies engage with in England, it is only likely to be commercially viable for one awarding body to develop wholly new qualifications with
new content and new forms of assessment for Wales. This is in line with the second example in the policy.

55. The sector review also identified inconsistencies in the assessment and quality assurance regime between different forms of the same qualification to be a problem in this sector. Moving to a single suite of qualifications would remove this sort of inconsistency. This is in line with the third example in the policy.

Who would be able to apply to develop the restricted qualification?

56. Any awarding body would be able to apply through open competition to develop new qualifications. Awarding bodies would also be asked to demonstrate how they meet our criteria which are likely to include a requirement to provide evidence of a successful track record.

57. We would be willing to consider applications from partnerships, either between awarding bodies or between an awarding body and another body, although we would expect to see clear evidence of how the governance and accountability arrangements would work in such circumstances, including through the identification of a lead awarding body.

58. In the event that the Lots were divided between more than one body (for example if each Lot went to a different awarding body, or if one awarding body won two Lots and another won the third) we would require each successful awarding body to commit to working collaboratively with the other body (bodies) in order to ensure that the whole suite is coherent and consistent.

What would happen about existing Health and Social Care, Childcare and Playwork qualifications?

59. Our principal aims require us to focus always on the needs of learners – and it would be important to ensure that no learners were disadvantaged by the development of the new suite. We would work with awarding bodies to seek to ensure that learners had continuing access to legacy qualifications until the new qualifications were ready, so that learners could complete their programmes of learning. However, other than for purposes of completing existing programmes of learning, no new qualifications that covered similar ground would be designated as eligible for use on funded programmes of learning – and existing designations would be phased out. We would, however, continue to accept applications for the designation of other qualifications in the Health and Social Care, Childcare and Playwork where these covered additional learning programmes (such as specialised aspects of care not covered by the new suite).
What about the impact on learning providers?

60. It is very important that the transition to new qualifications is well managed, and that teachers, trainers, tutors and assessors understand the changes and are able to prepare to deliver them. Over the three-year period leading up to the introduction of the new qualifications, we would look at ways in which learning providers could be supported through the transition process. We would start with a project to look at the development needs of assessors involved with the current suite of qualifications. A simple illustration of the potential timescale, showing a continuing process of workforce development for learning providers is shown below.

![Potential timescale for the development of the new suite of qualifications](image)

61. We have conducted a regulatory impact assessment to consider the range of impacts that Option 3 would have on others. A summary of this impact assessment is provided at Annex [3].

62. Once you have read through this consultation document and its annexes, please proceed to the online response form [here] where you can express your views on this consultation. We look forward to hearing from you. Should you wish to prepare your responses in advance, the questions from the online response form are listed in Annex [4] below.
Annex [1]: Examples of potential considerations in the selection of commissioned awarding bodies

First stage

Corporate capacity:

- Capacity and capability to develop and deliver high quality qualifications and support materials on time
- Structure of any joint working proposal
- Financial viability.

Second stage

Innovative assessment design:

- Commitment and ability to deliver innovative, holistic, effective and flexible assessment solutions.

Robust quality assurance processes:

- Commitment and ability to provide consistent and effective quality assurance across centres in Wales
- Ability to promote and support cross centre standardisation.

Efficiency and value for money:

- Ability and commitment to ensure that qualifications are cost effective and provide value for money.

Empathy with and experience of the sector:

- Credibility in the sector – preferably across health, social care, childcare learning and development, early years and playwork
- Access to appropriate expertise in the sector
- Understanding of the core values of care and how these can be demonstrated and evidenced.

Willingness and capacity to embrace the agenda for qualifications reform in Wales including:

- Has an understanding of the Welsh context, legislation, culture and language
- Commitment and capacity to provide content and assessment to meet the specific needs of learners and employers in Wales
- Ability to provide assessment opportunities, quality assurance activities and resources through the medium of Welsh and English.

An approach that promotes collaboration and engagement:

- Commitment to collaborate with awarding bodies offering other qualifications in the suite
- Commitment to and processes for involving higher education institutions, service users and employers in development.

Support for centres:

- Commitment and ability to produce creative, innovative, effective and bilingual centre support materials and learner resources
- Commitment and ability to provide effective training and responsive support to centres on a local/regional basis.

Joint bids from bodies wishing to collaborate:

- Governance arrangements for any collaborative venture between awarding bodies or an awarding body and other parties.
Annex [2]: Suggested ‘bundling’ of ‘Lots’ for the concession process.

Lot 1

- Level 1: Introduction to Health, Social Care and Child Care - Principles and Contexts
- Level 2: Introduction to Health, Social Care and Child Care – Principles and Contexts

Lot 2

- Level 2: Health and Social Care - Principles and Contexts (Adults, Children and Young People) *(knowledge based qualification, to be approved for post-16 learners only)*
- Level 2: Health and Social Care Practitioner (Adults)
- Level 2: Children’s Care, Learning, Development and Playwork – Principles and Contexts *(knowledge based qualification, to be approved for post-16 learners only)*
- Level 2: Children’s Care, Learning, Development and Playwork – Practitioner

- Level 3: Health and Social Care - Principles, Theories and Contexts (Adults, Children and Young People) *(knowledge based qualification)*
- Level 3: Health and Social Care Practitioner (Adults)
- Level 3: Health and Social Care Practitioner (Children and Young People)
- Level 3: Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*
- Level 3: Children’s Care, Learning, Development and Playwork – Practitioner

Lot 3

- Level 4: Leadership and Management of Health and Social Care – Principles, Theories and Contexts *(knowledge based qualification)*
- Level 4: Leadership and Management of Children’s Care, Learning, Development and Playwork– Principles, Theories and Contexts *(knowledge based qualification)*

- Level 5: Leadership and Management of Health and Social Care – Practitioner
- Level 5: Leadership and Management of Children’s Care, Learning, Development and Playwork – Practitioner
• Level 4: Social Care Advanced Practitioner with potential specialist pathways for
  o Dementia
  o Learning Disabilities and Autism
  o Advocacy
  o Looked After Children
  o Social Services Practitioner

• Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for
  o Learning Disabilities and Autism
  o Advocacy
Annex 3:

Summary of issues identified in the regulatory impact assessment of Option 3

We have conducted a regulatory impact assessment in relation to:

- Groups that would be directly affected by the imposition of a restriction
- Protected groups under the Equality Act 2010
- The Welsh Language
- Data protection
- Children’s rights

This annex summarises the key findings of that impact assessment.

Groups that would be directly affected by the imposition of a restriction:

- Awarding bodies currently awarding Health and Social care, Childcare and Playwork qualifications in Wales.
- Learning providers preparing learners for qualifications in this sector.
- Learners who would be taking new qualifications from 2019.
- Learners who would be part way through taking legacy qualifications in 2019.
- Employers of learners working towards qualifications in this sector, and of learners who are awarded these qualifications.
- Sector bodies with an interest in the qualifications, such as the Care Council for Wales.
<table>
<thead>
<tr>
<th>Group</th>
<th>Positive impact</th>
<th>Negative impact</th>
<th>Suggested actions to mitigate negative impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awarding bodies currently awarding Health and Social Care, Childcare and Playwork qualifications in Wales.</td>
<td>The successful awarding body or bodies would have exclusive access to funded learning provision and would be able to invest with confidence in the development of new qualifications.</td>
<td>Awarding bodies who are currently awarding qualifications that are replaced, but who did not win a concession contract, would lose business in Wales. There might be knock-on effects to other business that they had with centres who switched to the successful awarding body.</td>
<td>Qualifications Wales would make it clear that it welcomed applications from awarding bodies operating in partnership (providing accountabilities were clear). This might allow awarding bodies to play to their unique strengths. For most awarding bodies the proportion of their business in this sector in Wales represents a very small proportion of their wider business.</td>
</tr>
<tr>
<td>Learning providers preparing learners for qualifications in this sector.</td>
<td>Learning providers would benefit from improved approaches to assessment from the new qualifications. All publicly funded learning programmes would be following the same qualification, making choices clearer and facilitating the pooling and/or exchange of resources.</td>
<td>Learning providers would need to adapt to the changes and might be unwilling to give up existing qualifications – or to change awarding bodies.</td>
<td>An extensive programme of change management and workforce development is being planned to support the proposed development of the new qualifications. The contract with commissioned awarding bodies would require awarding bodies to support centres in the administrative and practical arrangements for switching, where necessary. [We would expect this to be at little or no direct cost to learning providers].</td>
</tr>
<tr>
<td>Learners who will be taking new qualifications from 2019.</td>
<td>Learners would benefit from carefully designed new qualifications to meet their needs, with clear progression routes into employment and into higher education and more efficient and accessible assessment.</td>
<td>Learners taking new qualifications for the first time may sometimes feel that they are at a disadvantage to subsequent cohorts as the learning and assessment workforce gets up to speed.</td>
<td>The change management programme would ensure that learning providers are well prepared, with appropriate resources, to support learners taking the new qualifications for the first time. Consideration would be given to ensuring that learners are not unfairly disadvantaged against candidates taking legacy qualifications.</td>
</tr>
<tr>
<td>Learners who will be part way through taking legacy qualifications in 2019.</td>
<td>Learners may be unsure, amidst publicity for the new qualifications, as to whether they can complete their qualifications – and whether they would be valued.</td>
<td>Arrangements would be made to ensure that legacy qualifications were eligible for use on funded programmes for learners who needed to complete qualifications. Communications handling would be careful not to be damaging to learners taking legacy qualifications.</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Employers of learners working towards qualifications in this sector, and of learners who are awarded these qualifications.</td>
<td>The new suite of qualifications would be designed to assess the skills, knowledge and understanding that employers need – and to provide more efficient forms of assessment than the present suite. Employers would be able to have more confidence in the competency of learners applying to them with qualifications.</td>
<td>Initially, the new qualifications would be unfamiliar to employers who would have to understand how they equated to earlier qualifications – as both might be presented by applicants. Employers’ involvement in hosting and supporting assessment might also need to change. Communications with and for employers about what the qualifications mean would be important – as would engagement with employers to help them understand their role in supporting learners taking qualifications while working.</td>
<td></td>
</tr>
<tr>
<td>Sector bodies with an interest in the qualifications (for example, the Care Council for Wales).</td>
<td>Sector bodies might face challenges in managing information and expectations about legacy and new qualifications – including how they related to requirements for registration. Some sector bodies might find that they had a number of different views within their membership about the direction the new qualifications would take.</td>
<td>Qualifications Wales would continue to engage closely with sector bodies in the development of the qualifications and to ensure that the portability of the qualifications in other parts of the UK would be promoted.</td>
<td></td>
</tr>
</tbody>
</table>
Protected characteristics under the Equality Act 2010

We considered each of these characteristics in terms of any specific impact on learners with these characteristics and in terms of any wider indirect impact on other people with these characteristics. We did not identify any negative impacts on people with any of the protected characteristics.

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Positive impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td><strong>Learners:</strong> no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider impacts:</strong> it is likely that a higher proportion of people with disabilities are receivers of care than of the general population. Improvements to the qualifications should result in improved skills for carers and more person-centred approaches – benefiting people with disabilities who are receivers of care.</td>
</tr>
<tr>
<td>Gender</td>
<td><strong>Learners:</strong> as significantly more women than men take qualifications in this sector, then more women would benefit from the changes to the qualification – but the changes are unlikely to differently affect female or male learners.</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit both men and women who are receiving care.</td>
</tr>
<tr>
<td>Race</td>
<td><strong>Learners:</strong> no specific impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit those of any race who are receiving care.</td>
</tr>
<tr>
<td>Age</td>
<td><strong>Learners:</strong> There tends to be a higher proportion of older learners taking qualifications in this sector than in other sectors. The changes to the qualification should benefit learners of all learners of all ages (over the age of 14).</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> older people and children are more likely to be recipients of care than people of other ages. They should benefit from improvements in the level of competency of care givers.</td>
</tr>
<tr>
<td>Gender reassignment</td>
<td><strong>Learners:</strong> no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit transgender and transsexual people who are receiving care.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td><strong>Learners:</strong> no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit people of any sexual orientation who are receiving care.</td>
</tr>
<tr>
<td>Marriage and civil partnerships</td>
<td><strong>Learners:</strong> no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit people who are married or in a civil partnership and who are receiving care – or in a marriage or civil partnership with a recipient of care.</td>
</tr>
<tr>
<td>Pregnancy and maternity</td>
<td><strong>Learners:</strong> no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><strong>Wider positive impacts:</strong> the strengthening of person centred approaches to care should benefit people who are pregnant or have young children and who are receiving care or relatives of such people. Parents of young children who require day care or playwork services should benefit from a more skilled workforce.</td>
</tr>
<tr>
<td>Religion or belief</td>
<td>Learners: no specific impact</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts:</em> the strengthening of person-centred approaches to care should benefit people of any religion or belief who are recipients of care or relatives of such people.</td>
</tr>
</tbody>
</table>

*The Welsh Language*

The following positive impacts on the Welsh Language have been identified:

- All commissioned qualifications would be required to be available for assessment through the medium of Welsh. This would provide certainty to learners wishing to access Welsh-medium assessment that all of the available qualifications may be taken in this way. Welsh-speaking learners would have access to exactly the same range of qualifications as English-speaking learners.
- Having a single awarding body for each qualification would support more efficient deployment of Welsh-speaking assessors and quality assurance staff.
- The proposed change management process would provide time and support to learning providers and awarding bodies to prepare for implementation of the new qualifications – including for the development of Welsh-medium services and learning resources.

*Data protection*

The commissioning process may result in awarding bodies having to provide more information to Qualifications Wales than they have previously been required to provide – and some of this may be commercially confidential. Qualifications Wales would securely store all such data received and would implement appropriate secure retention and disposal processes in order to protect such data and to restrict its use to the purposes intended.

*Children’s rights*

If we do restrict and commission new qualifications in Health and Social Care, Childcare and Playwork we would make sure that the new qualifications cover the ability of learners who intend to work with children to understand, and support through their work, the articles of the United Nations Convention on the Rights of the Child (UNCRC).

Where qualifications are taken by learners under the age of 18, then the design and implementation of these new qualifications would support, in particular, article 29 of the UNCRC – ‘the right to education which develops your personality, respect for others’ rights and the environment’ – especially ‘respect for others’ rights’.

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In our sector review, we were keen to hear the voices of children and young people in our ‘analysis’ phase. Through focus groups we listened to over 800 learners – many of whom were under the age of 18. The issues that they raised were reported in our report and have been taken into account in the formulation of our commitments for action – including in our suggestion that we should commission a single suite of qualifications.
Annex 4: Questions from online response form

Part 1 – your response to the consultation

Q1

Please respond to the following questions as appropriate to you or your organisation. On open text questions, if you do not wish to respond please state “no response”. (enter 1 to proceed)

Q2

Do you agree that, of the options we have set out to deliver the outcomes of our review, the most effective in achieving those outcomes is Option 3 (imposing a restriction on some qualifications in the Health and Social Care Sector in Wales)?

1. Yes
2. Yes, but with reservations
3. No

(If Q2=Yes)

Q3

Please state the most important reasons for your/your organisation’s preference.

(If Q2=Yes with reservations)

Q4

Please state what your reservations are.

(If Q3 = No)

Q5

Please state the reasons for your/your organisation’s view and your preferred alternative approach (Option 1, 2 or another alternative approach that you wish to recommend).

Q6

Please outline any positive impacts that you feel that option 3 would (or might) have on you or your organisation, the learners, employers, individuals in receipt of health and social care services or other stakeholders.
Q7

Please outline any negative impacts that you feel that our option 3 would (or might) have on you or your organisation, the learners, employers, individuals in receipt of health and social care services or other stakeholders.

Q8

Please outline any views you have on the list of qualifications we are suggesting should be restricted.

Q9

Would you like to comment on whether Playwork should be included within the qualifications at levels 2 and 3 that would be restricted?

1. Yes
2. No

(If Q9=Yes)

Q10

Are you supportive of the suggestion that Playwork should be included within the qualifications at levels 2 and 3 that would be restricted?

1. Fully supportive of the suggestion
2. Supportive of the suggestion with some reservations
3. Not supportive of the suggestion

(If Q10 = 2 or 3)

Q11

Please summarise your reservations in relation to this suggestion.

Q12

Would you like to comment on whether the Occupational Therapist Support Worker pathway should be included within the qualifications at level 3 that would be restricted?

1. Yes
2. No
(If Q12=Yes)

Q13

Are you supportive of the suggestion that the Occupational Therapist Support Worker pathway should be included within the qualifications at Level 3 that would be restricted?

1 Fully supportive of the suggestion
2 Supportive of the suggestion with some reservations
3 Not supportive of the suggestion

(If Q13 = 2 or 3)

Q14

Please summarise your reservations in relation to this suggestion.

Q15

Would you like to comment on whether the Level 4: Social Care Advanced Practitioner with potential specialist pathways and Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways should be included within the qualifications that would be restricted?

1 Yes
2 No

(If Q15 = Yes)

Q16

Are you supportive of the suggestion that the Level 4: Social Care Advanced Practitioner with potential specialist pathways and Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways should be included within the qualifications that would be restricted?

1 Fully supportive of the suggestion
2 Supportive of the suggestion with some reservations
3 Not supportive of the suggestion
(If Q16 = 2 or 3)

Q17

Please summarise your reservations in relation to this suggestion.

Q18

What is your view, if any, on the ‘Lots’ of qualifications that we are suggested should be included in the commissioning process?

If you do not have a view please state “no response”.

Q19

In your view, would the suggested period of restriction, five years, be reasonable for awarding bodies to recoup development costs?

1  Reasonable
2  Too short
3  Too long
4  I don’t know

(If Q19 = 2)

Q20

Please give reasons as to why you believe 5 years is too short.

(If Q19 = 3)

Q21

Please give reasons as to why you believe 5 years is too long.

Q22

Please comment, if you wish, on our analysis of the three different options for addressing the issues identified by our sector review.

If you do not wish to express a view, please state “no response”.

32
Q23

Please comment, if you wish, on the grounds for imposing a restriction that we have identified.

If you do not wish to express a view, please state “no response”.

Q24

Please comment, if you wish, on the examples in Annex 1 of considerations we might make in selecting an awarding body to develop new qualifications?

If you do not wish to express a view, please state “no response”.

Q25

Are there any other points you would like to make about this consultation?

If you do not wish to express a view, please state “no response”.

Part 2: About you

Q26

Name

Q27

Job Title or Relevant Role

Q28

Organisation

If you are not part of an organisation, please state “not applicable”.

Q29

Are you responding on behalf of yourself or your organisation?

1. I am responding on behalf of myself.
2. I am responding on behalf of the organisation named above. Please note: If you select this box, we will assume that you have the authority for your responses to be considered as representations from your organisation.
Q30

Are you

Please select as many as apply.

1. An awarding body representative?
2. A representative of a publicly funded learning provider?
3. A teacher, trainer, tutor or assessor of learners taking qualifications in the health and social care sector?
4. A teacher, trainer, tutor or assessor of learners taking qualifications in the childcare and/or playwork sector?
5. An employer of people in the health and social care sector?
6. An employer of people in the childcare and/or playwork sector?
7. A member or official or a representative or professional body with interest and/or responsibilities in the health and social care sector?
8. A member or official or a representative or professional body with interest and/or responsibilities in the childcare and/or playwork sector?
9. An individual who is in receipt of health and social care services?
10. A carer of an individual who is in receipt of health and social care services?
11. A carer of an individual who is in receipt of childcare and/or playwork services?
12. A current or potential learner on health and social care, childcare, and/or playwork qualifications in Wales?
13. Another stakeholder in qualifications in the health and social care, childcare, and/or playwork sector?
14. None of the above

(If Q30=1)

Q31

Does your awarding body currently award health and social care, childcare, and/or playwork qualifications in Wales?

1. Yes
2. No

(If Q30=2)

Q32

Is the publically funded learning provider a

1. School
2. Further education institution
3. Work based learning provider
4. NHS trust training department
5. Other (please specify)

(If Q30 = 3)
Q33
Which of these apply to you?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q30=4)
Q34
Which of these apply to you/your organisation?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q30=5)
Q35
Which of these apply to you/your organisation?
Select all that apply
1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q30=6)
Q36

Which of these apply to the service you/the person you care for receive?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. **Playwork**

(If Q30 = 7, 8 or 9)

Q37

Please describe you/your organisation and your interest in this consultation.

Q38

Before reading this consultation had you been aware of Qualifications Wales' Sector Review of Health and Social Care?

1. Yes
2. No
3. Don't know

Q39

Have you read the report of the Sector Review?

1. Yes
2. No
3. Part of it

Q40

Did you contribute to the Sector Review while it was underway?

1. Yes
2. No
3. Don't know

(If Q40 = Yes)

Q41

Did you meet with a member of Qualifications Wales' staff?

Select all that apply

1. Attend a presentation or workshop?
2. Reply to the online consultation?
3. Undertake any other activities in connection with the review?
   Other (please state)
PART A - STATUTORY BASIS FOR THE SCHEME

Section 15 of the QWA states:

15 Power to make arrangements for development of restricted priority qualification

(1) Qualifications Wales may enter into arrangements with an awarding body the effect of which is to provide for the body to develop a new form of a restricted priority qualification, with a view to the prospective approval of that form of the qualification under section 16.

(2) The arrangements may make provision about, among other things—
   (a) criteria to be met by the form of the qualification to be developed;
   (b) payments to be made by Qualifications Wales in respect of its development.

(3) Qualifications Wales must prepare a scheme making provision about the making of arrangements under this section.

(4) Qualifications Wales must exercise its functions in accordance with the scheme.

(5) The scheme must provide for a procedure that is open, fair and transparent.

(6) Qualifications Wales may revise the scheme.

(7) The scheme must be published by Qualifications Wales.

This scheme is made pursuant to Section 15(3) and is published pursuant to section 15(7)

PART B – GENERAL PROVISIONS

The arrangements made under section 15(1) will be set out in a written contract between Qualifications Wales and the relevant awarding body. No arrangements will be valid unless and until such a contract has been made.

Any such contract will be awarded in accordance with the procedure set out in Part C of this Scheme.

In carrying out the procedure, Qualifications Wales will act fairly, openly and proportionately, and in accordance with its published Restriction Policy

PART C – AWARD PROCEDURE

In some cases, the Concessions Contracts Regulations will apply and this flow chart is considered to be in accordance with these

In other cases, Qualifications Wales will apply the process shown below.
COMMISSIONING PROCESS AND DRAFT TIMETABLE INCORPORATING DIALOGUE STAGES.

THIS PROCESS STARTS FOLLOWING CONSULTATION AND LISTING OF THE QUALIFICATION ON THE PRIORITY QUALIFICATIONS LIST

Anticipated Timeframes

- 60 days: Pre-tender market engagement
- 30 days: Call for competition
- 7 days: POQ responses / evaluation
- 40 days: Outline Solutions
- 90 days: Detailed dialogue rounds
- 30 days: Final tender process
- 14 days: Post-tender discussions and evaluation
- 10 days: Contract award

Prior to commencing the formal commissioning process, Qualifications Wales will undertake planning and initial preparation including the consideration of the business case and regulatory impact assessment, identification of risks; definition of objectives, specification, selection and award criteria. Qualifications Wales will carry out market research, market soundings or hold events to explain the project to potential bidders and encourage interest.

Following the decision to restrict, a prior information notice or contract notice will be published in the Official Journal of the EU via the Sell2Wales portal and the Qualifications Wales website (other relevant websites may be used to increase visibility of the opportunity if required). Interested parties have 30 days from the date of the contract notice is sent to request to participate, through submitting a Pre-Qualification Questionnaire (PQQ) or equivalent.

Stage 1

Issue of invitation to submit outline solutions to each of the short-listed bidders.

Submission of outline solutions by bidders

Objective of Stage 1 is to identify the number of bidders to be shortlisted and to identify the preferred bidder(s) and the number of rounds required to satisfy the procurement needs.

Stage 2

Bidders asked to present their draft solutions as a whole. Final opportunity for bidders to respond to QW with points that they have raised before or arise from drafting changes

Stage 4

Invitation to submit final bids

If only one set of dialogue meetings is required, the time limit will significantly reduce from 90 days.

Stage 3

Final bids received

Qualifications Wales will notify the preferred bidder(s) and the other bidders of the outcome of the procurement.

The preferred bidder(s) will enter into an agreement with Qualifications Wales. Qualifications Wales will observe a standstill period of 10 calendar days before entering into the agreement(s).
Qualifications Wales will update QW and inform awarding bodies and centres of transitional arrangements and timescales once the qualifications have been approved.

The timeframes are indicative only. The timescales for each of the phases are flexible and can be determined by QW as it sees fit. However, while there are few prescribed time limits, any time limits that are set must be both reasonable and proportional to the scope and nature of the competition. In some cases, the Concessions Contracts Regulations will apply and this flow chart is considered to be in accordance with these.
Next Steps

Following the close of this consultation, Qualifications Wales will analyse the responses and consider whether or not to proceed with option 3 and to propose a restriction on the qualifications. Should we decide to proceed with option 3 we will seek the agreement of Welsh Ministers to list the qualifications on the Priority Qualifications List and would publish a notification of our proposal to impose a restriction under section 14 of the Act. We would consider any representations received in response to that notification before determining whether to proceed with the restriction. Should we subsequently decide to proceed with a restriction we would publish this decision and would then begin the commissioning process to appoint an awarding body (or bodies) to develop new qualifications to meet the needs of learners in Wales.
Overview

This consultation seeks the views from stakeholders on the approach to be taken to the development of a new suite of qualifications in Health and Social Care, Childcare and Playwork. The consultation outlines the options considered by Qualifications Wales, indicates our preferred approach and provides an opportunity for awarding bodies and other interested parties to give feedback.

How to respond

Responses to this consultation should be submitted via the following link arrive by 18:00 on 5 October 2016 at the latest.

Further information and related documents

Qualifications Wales will take responses to this consultation into account in determining its next course of action. A report summarising the consultation responses will be published on the Qualifications Wales website shortly after the consultation period has ended.

Contact details  For further information:

Email: healthcarereview@qualificationswales.org
Data protection: How the views and information you provide us with will be used

Any response you send us will be seen in full by Qualifications Wales staff dealing with the issues related to this consultation. It may also be seen by other Qualifications Wales staff to help them plan for future consultations.

Qualifications Wales intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This simply helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response and we will then redact them.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see the information held by many public bodies, including Qualifications Wales. This includes information that has not been published, although the law allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account, but there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would contact the person and ask their views before we finally decided to reveal the information.

Qualifications Wales will hold all data electronically and it will be stored in line with our ICT policies and Information Handling Guidelines. Please be aware that where information is collected through Survey Monkey and other online tools, the data will be held on the server of the company providing the service. Qualifications Wales will download this data and delete it from the company server once the consultation period has closed.
Preamble

In July 2016 we published a report on our sector review of qualifications and the qualification system in Health and Social Care (including childcare and playwork) [available here]. In that report we identified a number of concerns about current qualifications and the qualification system and made a commitment to overseeing the development of a new suite of qualifications to meet the needs of learners in Wales. Having considered how we might best meet this commitment we are now considering imposing a ‘restriction’ on a new suite of qualifications for the sector. We have evaluated options for achieving this and the approach we favour involves commissioning a single awarding body to develop each qualification so that there would only be one approved version of each of those qualifications. This would consequently determine the qualifications that could be used on funded programmes of learning in Wales for first teaching in September 2019.

This consultation document:

- sets out the options we are considering;
- explains the advantages we see in restricting qualifications in this sector;
- outlines the process we would need to follow if we were to implement a restriction;
- summarises the impact assessments we have undertaken;
- asks for your views on our preferred approach.

We are mindful that the development of a new suite of qualifications for learners in Wales would increase the differences between the qualifications taken in Wales and those taken elsewhere in the UK and that learners taking qualifications in Wales may wish to seek employment elsewhere. While we must prioritise the needs of learners and employers in Wales, we will continue to emphasise the need for qualifications in Wales to be portable.

Please read through this document in full before responding to the questions asked on our online consultation response form. To help you in preparing your response, we have reproduced the questions in Annex [4] at the end of the document. Please note that you need to reply online for your response to be considered. When you are ready, the online consultation response form can be found here. This consultation closes at 18:00 on 5 October.

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1 The qualification system is the infrastructure which underpins and enables the delivery of qualifications – it includes the way that qualifications are developed, delivered and awarded as well as what is developed, delivered and awarded.

2 This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
Which qualifications are we suggesting that we should restrict and commission?

1. The qualifications that we believe need to be developed for learners in Wales were described in our report on our Health and Social Care sector review as follows:

   a) **One Level 1/2 qualification primarily targeted at learners aged 14-16, but which may also be taken post-16, with broad coverage of ‘Caring for People’**.

   b) **Level 2 and 3 qualifications which share a common core but have different elective pathways to cover the knowledge and understanding, skills and competence required for progression into, or within, the workplace (and, where applicable, for registration as a qualified practitioner) in:**

   - Social care – Adult
   - Social care – Domiciliary
   - Social care – Children and young people
   - Childcare, learning, development and play work
   - Health care support work

   c) **One Level 3 core and options-based ‘academic’ qualification that complements and can be taken either alongside those listed in b) above or separately and which assesses the knowledge, skills and understanding required for progression to higher education in a range of health & social care and child care & early years-related areas. This would typically, but not exclusively, be taken by learners on two-year full-time programmes of study in further education.**

   d) **One Level 4 qualification for learners in a range of health, social care and play workplace settings, which allows for combinations of elements of:**

   - preparation for leadership and management roles (without requiring fulfilment of such a role);
   - wider study in aspects of specialist care;
   - preparation for higher study.

   e) **One Level 5 management of care qualification with a central core, combined with elective pathways depending on the workplace setting which:**

   - qualifies learners who are employed in management roles or in highly specialised care roles;
   - is sufficiently demanding to provide a basis for higher study.
2. Since publishing the report we have continued our discussions with stakeholders and have amended this list of qualifications slightly, adding in an ‘academic’ knowledge based route at Level 2 in both Health and Social Care and Children’s Care, Learning, Development and Playwork. These qualifications would offer learners progression to further education at Level 3 or progression to Level 2 practitioner qualifications. They would only be available to post-16 learners as it remains our view that there should be one cross-cutting qualification for learners aged 14-16. The level 2, 3, 4 and 5 qualifications would all be separated into two routes: a ‘Health and Social Care’ route and a ‘Children’s Care, Learning, Development and Playwork’ route - but all routes would contain a common core. This separation acknowledges the differences in these specialisms.

3. We are also seeking views on the development of an Occupational Health Support Worker pathway as an optional route within the Level 3 Health and Social Care Practitioner (adults) qualification.

4. One further aspect we would welcome views on is whether a range of Level 4 specialist qualifications should be included in any list of restricted and commissioned qualifications. It has been suggested that these should include:

- Social Care Advanced Practitioner with potential specialist pathways for
  - Dementia
  - Learning Disabilities and Autism
  - Advocacy
  - Looked After Children
  - Social Services Practitioner

- Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for
  - Learning Disabilities and Autism
  - Advocacy

These specialisms represent important areas for the sector and for the personal development of individual staff but are likely to attract relatively small numbers of learners.

5. Subject to the outcomes of this consultation, we are proposing to recommend to the Cabinet Secretary for Education that the following qualifications are included on the List of Priority Qualifications. Subsequent to inclusion on the List, we are of the view that we should apply a restriction to the effect that we would only approve one version of each of these qualifications. Should we propose to go ahead with such a restriction we would issue a formal notice of that proposal under section 14 of the Qualifications Wales Act 2015 (‘the Act’).
The suggested list of qualifications

Level 1: Introduction to Health, Social Care and Child Care - Principles and Contexts

Level 2: Introduction to Health, Social Care and Child Care – Principles and Contexts

Level 2: Health and Social Care - Principles and Contexts (Adults, Children and Young People) *(knowledge based qualification, to be approved for post-16 learners only)*

Level 2: Health and Social Care Practitioner (Adults)

Level 2: Children’s Care, Learning, Development and Playwork – Principles and Contexts *(knowledge based qualification, to be approved for post-16 learners only)*

Level 2: Children’s Care, Learning, Development and Playwork Practitioner

Level 3: Health and Social Care - Principles, Theories and Contexts (Adults, Children and Young People) *(knowledge based qualification)*

Level 3: Health and Social Care Practitioner (Adults)

Level 3: Health and Social Care Practitioner (Children and Young People)

Level 3: Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*

Level 3: Children’s Care, Learning, Development and Playwork Practitioner

Level 4: Leadership and Management of Health and Social Care – Principles, Theories and Contexts *(knowledge based qualification)*

Level 4: Leadership and Management of Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*

Level 5: Leadership and Management of Health and Social Care – Practitioner

Level 5: Leadership and Management of Children’s Care, Learning, Development and Playwork – Practitioner

Level 4: Social Care Advanced Practitioner with potential specialist pathways for

- Dementia
- Learning Disabilities and Autism
- Advocacy
- Looked After Children
- Social Services Practitioner

Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for

- Learning Disabilities and Autism
- Advocacy
6. We envisage that this new suite of qualifications would, for courses or learning programmes beginning in September 2019 onwards, replace a wide range of qualifications that are currently taught on publicly funded courses (or learning and assessment programmes) for learners in Wales, including, but not limited to:

- GCSE Health and Social Care
- GCSE Home Economics: Child Development
- GCE A Level Health and Social Care

- Awards, Certificates, Extended Certificates, Introductory Diplomas, Diplomas, Subsidiary Diplomas and Extended Diplomas at levels 1 to 3 in, or directly comparable with, qualifications with these titles:
  - Children’s Care, Learning and Development
  - Health and Social Care
  - Introduction to Health and Social Care (adults and children and young people)
  - Early Years and Childcare
  - Playwork

- Level 5 Diplomas in Leadership for Health and Social Care Services (all variations)

7. These legacy qualifications would be phased out in such a way that learners already taking them would not be disadvantaged.

8. Qualifications in related subjects – such as complementary therapies, or specialised aspects of care - which do not significantly overlap with these qualifications would not be affected.

Why is there uncertainty about the inclusion of Playwork qualifications?

9. Playwork qualifications were included within the scope of our sector review. Compared with the numbers of learners taking qualifications in the other sub-sectors, take-up of the existing Playwork qualifications is low – partly because it is often difficult for playworkers, who can be seasonal workers and part time workers, to commit to taking full qualifications. Nevertheless, some childcare workers also undertake Playwork – and some playworkers also work in childcare. In reviewing the Playwork qualifications, we identified many of the same issues that we found in the other areas of the review. There was broad agreement that Playwork, like the other areas of the broader sector, is based upon person-centred approaches.

10. It seems to us, therefore, there is a good argument for including Playwork qualifications at levels 2 and 3 within the new suite of qualifications. These would draw upon the common core used in other qualifications in the suite and focus on...
person-centred approaches in a bilingual context. This approach would also add flexibility to the workforce.

11. In order to take forward this work, we require the support of the key sector representatives in this area. At the point that we published our report on our sector review, we had not received an agreed view from the Playwork Education and Training Council for Wales (PETC Wales), which is a representative body in this sector in Wales. While some PETC Wales members were supportive of the suggestion to include Playwork within the new suite, others had concerns about moving away from the existing qualification structures which they felt to be valuable. We undertook to invite further views from the sector through this consultation document – so would particularly welcome informed views on whether Playwork qualifications should be included within the new suite.

What does ‘imposing a restriction’ mean?

12. The Act enables us to restrict the number of versions of priority qualifications that we will approve. Only qualifications that are approved (or ‘designated’) by Qualifications Wales are eligible for use on publicly funded courses for learners under the age of 19 in Wales. Other requirements - such as apprenticeship frameworks and the Care Council for Wales’ published list of qualifications that it accepts, may also specify the use of approved (or designated) qualifications.

13. If we decide that we need to avoid inconsistencies between qualifications and/or if we wish a single awarding body to develop and/or award a new qualification we may, using the powers given to us by the Act, determine that we will ‘restrict’ our approval to only one version of a named qualification. Maintained schools, further education colleges and publicly funded work based learning providers would then only be able to offer courses leading to the approved versions of this qualification rather than to similar qualifications that are not approved. Once approved restricted qualifications were in place, we would not designate or approve similar qualifications.

14. Further details on the processes for commissioning and selecting awarding bodies are provided in our Restricted Priority Qualifications policy published in August 2016 [available here]. The specific steps that we would take, subject to the outcome of this consultation, for Health and Social Care, and Childcare, qualifications, are outlined in the description of Option 3 in the sections below.

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1 A course provided to a learner with a learning disability does not have to lead to an approved or designated qualification. Furthermore, learning providers may apply to the Welsh Ministers for a specific course to be excluded from the requirement to use an approved or designated qualification – although we envisage that such an application would be the exception rather than the rule, for example in the case of children of forces families moving schools mid-course.
**Why are we considering that there should be new, restricted qualifications?**

15. Our sector review identified a number of concerns about existing qualifications in Health and Social Care, Childcare and Playwork. In summary the qualifications that are currently available, when considered as a whole, demonstrate some or all of the following features:

- the offer is complex, with unclear progression routes between sub-sectors and between levels of learning, and some gaps;
- there is insufficient coverage of the legislative context within Wales;
- they do not emphasise, sufficiently, person-centred approaches which underpin the principles and values of care;
- they have gaps or weaknesses in content coverage or core requirements, including insufficient coverage of playwork in childcare and early years, dementia care and domiciliary care;
- the assessment of competence is often too atomised, too broad, too shallow and can result in duplication;
- the assessment of knowledge can be ineffective, insufficient and non-contextualised;
- the terminology used in assessment can be a barrier to learners;
- approaches to assessment are inconsistently applied across awarding bodies;
- assessors sometimes have insufficient levels of professional expertise;
- there is often insufficient or ineffective provision of Welsh-medium assessment.

16. In our report on the sector review, we committed to take action to make arrangements for the development of a new suite of qualifications to address these issues and indicated that we would consult on the proposed approach for doing so.

17. In developing our preference for how we should take action we have considered three options:

- Option 1: ask awarding bodies to respond to the findings in the report;
- Option 2: publish approval criteria and allow multiple awarding bodies to submit qualifications against these criteria without imposing a ‘restriction’; or
- Option 3: impose a ‘restriction’, enabling us to commission a single awarding body to develop each qualification\(^1\) so that there would only be one approved version of each of those qualifications for use on funded programmes of learning in Wales.

\(^1\) This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
18. This consultation document:

- summarises our analysis of the benefits and disadvantages of options 1, 2 and 3;
- sets out our conclusions based on this analysis;
- gives you an opportunity to provide us with feedback both on our assessment of the options.

**Option 1: Ask awarding bodies to respond to the findings in the report**

**What would option 1 look like?**

19. With Option 1 we would ask awarding bodies to consider the findings of our review and to make changes to their qualifications to address these findings\(^1\). We could ask awarding bodies to do so voluntarily – or we could be more specific in our requirements, for example by imposing a special condition of recognition on awarding bodies offering qualifications in this sector, or by asking awarding bodies to ensure that current Welsh legislation was reflected in the qualifications. Awarding bodies who made changes to designated qualifications would then resubmit the revised qualifications for designation under Part 5 of the Qualifications Wales Act.

**What are the benefits of Option 1?**

20. Option 1 represents the lowest level of regulatory intervention of the three options. If it resulted in changes to existing qualifications, rather than their replacement with new ones, this would provide continuity for learning providers and learners, and would reduce disruption. Any awarding body currently awarding qualifications in this sector in Wales would have the option to continue to offer those qualifications, with modifications. Centres would retain their choice of awarding body and be able to maintain their existing working relationship.

**What are the disadvantages of Option 1?**

21. Retaining the existing range of provision would not reduce complexity or provide the clear progression routes that a new, coherent suite would offer.

22. Inconsistencies in approach and coverage might be reduced, but would be likely to continue.

\(^1\) There are a number of matters on which we will be asking awarding bodies to respond in any case in relation to the existing qualifications – this option refers to the need to make changes of a more substantial nature.
23. It is unlikely that the extent of the changes required – to structure, content, assessment and quality assurance arrangements - would be satisfactorily achieved by amendments to existing qualifications.

24. Also, without developing new approval criteria (see Option 2, below), we would not have a clear and detailed basis for judging whether the revised qualifications were likely to be effective in meeting the needs of learners, employers and/or higher education providers.

Conclusion

25. On balance, we believe that option 1 would not permit the scale of change that our sector review has indicated to be necessary and would therefore not be in the best interests of learners in Wales.

Option 2: Publish approval criteria and allow multiple awarding bodies to submit qualifications against these criteria without imposing a ‘restriction’

What would Option 2 look like?

26. With Option 2 we would seek the Welsh Ministers’ agreement to list the desired suite of qualifications on the List of Priority Qualifications, having first developed, and consulted upon, detailed approval criteria. We would want the suite of qualifications to be coherent and consistent across Wales, with improved content, assessment methods and quality assurance arrangements. Therefore, we would need to give full details, in the approval criteria, of the content, assessment and quality assurance arrangements that we would require. Awarding bodies would then have the option to develop new qualifications to address the approval criteria and to apply to Qualifications Wales for approval of their specifications. For Social Care and Childcare qualifications awarding bodies would also need to ask the Care Council for Wales (or its successor body, Social Care Wales) to endorse any application for approval prior to submitting the application to us.

What are the benefits of Option 2?

27. Option 2 could, potentially, result in a new, improved suite of qualifications for learners in Wales. If Qualifications Wales were to develop high quality, detailed and prescriptive approval criteria this could lead to improved consistency across the suite of qualifications and probably would address the issues about content, assessment and quality assurance that were identified in the sector review. Any awarding body that wished to offer one or more qualifications in this sector in Wales would be able to apply for approval. If all awarding bodies currently awarding qualifications in the sector continued to do so, then learning providers could continue to choose their preferred awarding body.
**What are the disadvantages of Option 2?**

28. Wales is a small country – and we have concerns that, although the qualifications market in Health and Social Care, Childcare and Playwork is bigger than in many other sectors in Wales, it is unlikely to be viable for multiple awarding bodies to invest in the level of new development that would be required and then to compete for an uncertain share of this relatively small market. While some existing qualifications have been developed to meet the needs of Wales, these have, more often, been adaptations of existing qualifications originally designed to meet the needs of learners in England.

29. Even if multiple awarding bodies were willing to develop these qualifications, other concerns might arise. In order to improve the consistency and improved quality of the new suite of qualifications to the extent that the sector review indicated was necessary, the approval criteria would need to be so prescriptive about both the content and the assessment methodology of the qualifications that, in effect, responsibility for developing the assessment regime would lie with Qualifications Wales rather than with the awarding body (bodies). This would not enable the maximum advantage to be taken of the expertise of awarding bodies in designing qualifications, and could result in awarding bodies not having ownership of, or confidence in, the design of qualifications that they were then tasked to deliver and award. Qualifications Wales would need to recruit qualification developers to design the assessment model, while awarding bodies already have this expertise in-house. Should the assessment arrangements subsequently prove difficult to implement effectively, lines of accountability could be unclear.

30. Even with the improved consistency that prescriptive approval criteria should bring, there would be a risk of inconsistencies in assessment and quality assurance where qualifications are awarded by more than one awarding body.

**Conclusion**

31. On balance, we believe that Option 2 is possible to deliver, but that the disadvantages outweigh the advantages and that Option 2 could represent a missed opportunity to simplify and strengthen the qualification system for Health and Social care for the benefit of learners, employers, higher education institutions and, ultimately, those who receive care.
Option 3: Impose a ‘restriction’, enabling us to commission a single awarding body to develop each qualification so that there would only be one approved version of each of those qualifications for use on funded programmes of learning in Wales

What would Option 3 look like?

32. With Option 3, we would seek the Welsh Ministers’ agreement to list the desired suite of qualifications on the List of Priority Qualifications. Providing such agreement was obtained we would add the qualifications to the list. We would publish a ‘determination’ (under section 14 of the Act) to specify that the maximum number of forms (versions) of each qualification that might be approved would be **one**.

33. We would then take steps to enable us to make arrangements, under section 15 of the Act, for an awarding body (or awarding bodies) to develop the qualifications that we had ‘restricted’ in this way. Using the Concessions Contract Regulations 2016 we would hold a competition in which awarding bodies would be invited to bid to be the sole provider of some or all of these qualifications. We would follow the process set out in our “Scheme Made Under Section 15 of the Qualifications Wales Act 2015” provided at annex [5]. This involves a two-stage bidding process where awarding bodies would provide evidence against criteria to demonstrate their suitability for taking this work forward. A simplified list of the type of attributes we might be looking for is provided at annex [1] – but this would be expanded upon to provide more detailed requirements should we proceed with the restriction.

34. We envisage that awarding bodies would be able to compete either to offer the whole suite of qualifications, or one or more ‘lots’ of qualifications, according to their preference or expertise. Details of the ‘lots’ that we are suggesting are set out in annex [2], and we would welcome your views on this aspect of the consultation.

35. If we proceed with option 3, the, the process of holding the competition would take some time and the award of concession would probably take place in the summer of 2017. In the meantime, Qualifications Wales would work with sector representatives (including service users) and subject experts to develop substantially the content requirements for the qualifications. Once the concession contract had been awarded, the successful awarding body (bodies) would work, for about one year (until the summer of 2018), to develop the assessment methodologies for the qualifications. We envisage a period of close, iterative, engagement between the awarding body (bodies), Qualifications Wales and learning providers, to ensure that the qualifications have the best possible chance of being fit for purpose.

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1 This could be one awarding body across the whole suite, or more than one awarding body across the suite – but in either case, each separate qualification would only be awarded by one awarding body.
36. Once the awarding body (or bodies) had developed the qualifications they would submit them for approval by Qualifications Wales against final approval criteria that would probably be published early in 2018.

37. The new qualifications, subject to being approved, would be published in September 2018 to enable learning providers to prepare for first teaching from September 2019. Qualifications Wales would make arrangements to support the effective management of change and to ensure that learning providers were well supported in the three years between now and first teaching of the new qualifications.

38. The Act requires that approval of restricted qualifications must be for a limited period. In awarding a concession we are required to allow sufficient time for the successful bidder to recoup development costs. We envisage that, in this case, it would be appropriate to allow for five years of entrants for the new qualifications. After this time, Qualifications Wales would need:

- **either** to hold a new competition to select an awarding body for replacement qualifications to be developed
- **or** to hold a competition where awarding bodies would be invited to submit specifications from which Qualifications Wales would select one for approval
- **or** to revoke the restriction and to allow additional versions of qualifications to be submitted for approval.

*What are the benefits of Option 3?*

39. Providing that we were able to award a concession agreement to one or more awarding bodies of the appropriate calibre, Option 3 would be likely to result in a new, single suite of qualifications for Health and Social Care, Childcare and Playwork that addressed the issues raised in the sector review and provided a clear and coherent progression route for learners.

40. Option 3 would give Qualifications Wales the opportunity to select an awarding body (or bodies) to develop the qualifications on the basis of their ability to meet our requirements and to develop and run high quality qualifications in the sector. Additionally, it would provide the successful awarding body (bodies) with a relatively secure market to underpin the viability of investing in the development of new qualifications.

41. There would be no risk of inconsistencies between different versions of the qualifications – this would improve confidence in the comparability of learners’ performance.

42. Having a single suite of qualifications, with each qualification being awarded by a single awarding body, would provide opportunities to strengthen the qualification system in Health and Social Care in other ways. It would make it easier for learning
providers across Wales to collaborate to support the consistency and quality of assessment: all funded centres in Wales would be preparing learners for the same version of the qualification. It would also be more likely to enable more efficient and effective deployment of Welsh-speaking assessors and the development of Welsh-medium resources: Welsh-speaking learners would always be taking the same qualification as their English-speaking peers.

43. Simplifying the range of core qualifications in this sector would make it easier for learners, parents, employers and further and higher education providers to be clear about which qualifications equipped learners for jobs and for higher level learning in this sector.

What are the disadvantages of Option 3?

44. Option 3 represents the most significant level of change from the present system and change can be unsettling and carries its own risks.

45. There is a risk that no awarding bodies might bid for one or more of the ‘lots’ – or that we might be unable to select an awarding body that met all of our criteria. If we did select one, there would then be the risk of complete reliance upon one awarding body in respect of each qualification.

46. It is likely that some learning providers would find themselves having to work with a different awarding body from those with which they are accustomed – and switching might feel unnecessary and/or inconvenient.

47. Some awarding bodies, who presently award qualifications in this sector in Wales, might be unsuccessful in the bidding process – resulting in a loss of business, some of which might be cross-subsidising other qualifications provision in Wales. This, in turn, could lead to a loss of capacity in awarding bodies to compete for future contracts, should the concession be renewed.

Conclusion

48. Whilst recognising the disadvantages described above, we believe that on balance, option 3 offers the best chance of addressing the issues raised in our sector review and perhaps a once in a generation opportunity to create a suite of qualifications that would give Welsh learners the very best provision. While we are very conscious of the risks attached, and in no way wish to downplay them, we believe that the scale of the potential benefits of this approach outweigh those risks.
Summative conclusion

49. Having considered the options, we are of the view that Option 1 would not deliver the outcomes that we recommended in the report of our sector review. While we will ask awarding bodies to respond to some of the issues identified in the short term, we believe that new qualifications are needed and Qualifications Wales will need to play a stronger role than that set out in this option.

50. While it would be possible to deliver our commitments through Option 2, our assessment is that this route would be less likely to result in the clear, consistent suite of qualifications that are required than the route set out in Option 3. We are therefore of the view that we should proceed with Option 3. We want to know whether you agree with our conclusion and with the rationale for it.
On what specific grounds would we determine these restrictions?

51. In our Restricted Priority Qualifications policy, we set out three examples of when we might determine to restrict a qualification. These were:

- where there is a need for specific qualification content in Wales due to curriculum or devolved policy requirements and restriction would support the economic viability for awarding bodies to develop such qualifications for Wales;
- where there is a need for specific assessment arrangements (including, for example assessment through the medium of Welsh) in Wales due to curriculum or devolved policy requirements and restriction would support the economic viability for awarding bodies to develop such qualifications for Wales;
- where Qualifications Wales identifies that inconsistency between different existing forms of the same qualification is significant and problematic.

52. In our sector review we identified that “with health, social care, education and skills policies being devolved matters for Wales, and with significant recent legislation in relation to all of these, it is essential to ensure that learning and assessment properly accommodates requirements for Wales”. This is in line with the first example in the policy.

53. In our commitments to action we undertook to include “knowledge and understanding of the principles of person-centred care in a bilingual culture” in the core of each of the new suite of qualifications. Given that a significant proportion of the content of the qualifications would, therefore, be specific to Wales it is only likely to be commercially viable for one awarding body to develop each interconnected ‘bundle’ of qualifications. This is in line with the first example in the policy.

54. We also require new forms of assessment for the qualifications – the sector review set out a number of concerns about the current assessment regime for many of the qualifications. Given that Wales is a small nation, when compared with the wider market that most awarding bodies engage with in England, it is only likely to be commercially viable for one awarding body to develop wholly new qualifications with new content and new forms of assessment for Wales. This is in line with the second example in the policy.

55. The sector review also identified inconsistencies in the assessment and quality assurance regime between different forms of the same qualification to be a problem in this sector. Moving to a single suite of qualifications would remove this sort of inconsistency. This is in line with the third example in the policy.
Who would be able to apply to develop the restricted qualification?

56. Any awarding body would be able to apply through open competition to develop new qualifications. Awarding bodies would also be asked to demonstrate how they meet our criteria which are likely to include a requirement to provide evidence of a successful track record.

57. We would be willing to consider applications from partnerships, either between awarding bodies or between an awarding body and another body, although we would expect to see clear evidence of how the governance and accountability arrangements would work in such circumstances, including through the identification of a lead awarding body.

58. In the event that the Lots were divided between more than one body (for example if each Lot went to a different awarding body, or if one awarding body won two Lots and another won the third) we would require each successful awarding body to commit to working collaboratively with the other body (bodies) in order to ensure that the whole suite is coherent and consistent.

What would happen about existing Health and Social Care, Childcare and Playwork qualifications?

59. Our principal aims require us to focus always on the needs of learners – and it would be important to ensure that no learners were disadvantaged by the development of the new suite. We would work with awarding bodies to seek to ensure that learners had continuing access to legacy qualifications until the new qualifications were ready, so that learners could complete their programmes of learning. However, other than for purposes of completing existing programmes of learning, no new qualifications that covered similar ground would be designated as eligible for use on funded programmes of learning – and existing designations would be phased out. We would, however, continue to accept applications for the designation of other qualifications in the Health and Social Care, Childcare and Playwork where these covered additional learning programmes (such as specialised aspects of care not covered by the new suite).

What about the impact on learning providers?

60. It is very important that the transition to new qualifications is well managed, and that teachers, trainers, tutors and assessors understand the changes and are able to prepare to deliver them. Over the three-year period leading up to the introduction of the new qualifications, we would look at ways in which learning providers could be supported through the transition process. We would start with a project to look at the development needs of assessors involved with the current suite of qualifications. A simple illustration of the potential timescale, showing a continuing process of workforce development for learning providers is shown below.
61. We have conducted a regulatory impact assessment to consider the range of impacts that Option 3 would have on others. A summary of this impact assessment is provided at Annex [3].

62. Once you have read through this consultation document and its annexes, please proceed to the online response form [here] where you can express your views on this consultation. We look forward to hearing from you. Should you wish to prepare your responses in advance, the questions from the online response form are listed in Annex [4] below.
Annex [1]: Examples of potential considerations in the selection of commissioned awarding bodies

First stage

Corporate capacity:

- Capacity and capability to develop and deliver high quality qualifications and support materials on time
- Structure of any joint working proposal
- Financial viability.

Second stage

Innovative assessment design:

- Commitment and ability to deliver innovative, holistic, effective and flexible assessment solutions.

Robust quality assurance processes:

- Commitment and ability to provide consistent and effective quality assurance across centres in Wales
- Ability to promote and support cross centre standardisation.

Efficiency and value for money:

- Ability and commitment to ensure that qualifications are cost effective and provide value for money.

Empathy with and experience of the sector:

- Credibility in the sector – preferably across health, social care, childcare learning and development, early years and playwork
- Access to appropriate expertise in the sector
- Understanding of the core values of care and how these can be demonstrated and evidenced.

Willingness and capacity to embrace the agenda for qualifications reform in Wales including:

- Has an understanding of the Welsh context, legislation, culture and language
- Commitment and capacity to provide content and assessment to meet the specific needs of learners and employers in Wales
- Ability to provide assessment opportunities, quality assurance activities and resources through the medium of Welsh and English.

An approach that promotes collaboration and engagement:

- Commitment to collaborate with awarding bodies offering other qualifications in the suite
- Commitment to and processes for involving higher education institutions, service users and employers in development.

Support for centres:

- Commitment and ability to produce creative, innovative, effective and bilingual centre support materials and learner resources
- Commitment and ability to provide effective training and responsive support to centres on a local/regional basis.

Joint bids from bodies wishing to collaborate:

- Governance arrangements for any collaborative venture between awarding bodies or an awarding body and other parties.
Annex [2]: Suggested ‘bundling’ of ‘Lots’ for the concession process.

Lot 1

- Level 1: Introduction to Health, Social Care and Child Care - Principles and Contexts
- Level 2: Introduction to Health, Social Care and Child Care – Principles and Contexts

Lot 2

- Level 2: Health and Social Care - Principles and Contexts (Adults, Children and Young People) *(knowledge based qualification, to be approved for post-16 learners only)*
- Level 2: Health and Social Care Practitioner (Adults)
- Level 2: Children’s Care, Learning, Development and Playwork – Principles and Contexts *(knowledge based qualification, to be approved for post-16 learners only)*
- Level 2: Children’s Care, Learning, Development and Playwork – Practitioner

- Level 3: Health and Social Care - Principles, Theories and Contexts (Adults, Children and Young People) *(knowledge based qualification)*
- Level 3: Health and Social Care Practitioner (Adults)
- Level 3: Health and Social Care Practitioner (Children and Young People)
- Level 3: Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*
- Level 3: Children’s Care, Learning, Development and Playwork – Practitioner

Lot 3

- Level 4: Leadership and Management of Health and Social Care – Principles, Theories and Contexts *(knowledge based qualification)*
- Level 4: Leadership and Management of Children’s Care, Learning, Development and Playwork – Principles, Theories and Contexts *(knowledge based qualification)*

- Level 5: Leadership and Management of Health and Social Care – Practitioner
- Level 5: Leadership and Management of Children’s Care, Learning, Development and Playwork – Practitioner
• Level 4: Social Care Advanced Practitioner with potential specialist pathways for
  o Dementia
  o Learning Disabilities and Autism
  o Advocacy
  o Looked After Children
  o Social Services Practitioner

• Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways for
  o Learning Disabilities and Autism
  o Advocacy
Annex 3:

Summary of issues identified in the regulatory impact assessment of Option 3

We have conducted a regulatory impact assessment in relation to:

- Groups that would be directly affected by the imposition of a restriction
- Protected groups under the Equality Act 2010
- The Welsh Language
- Data protection
- Children’s rights

This annex summarises the key findings of that impact assessment.

*Groups that would be directly affected by the imposition of a restriction:*

- Awarding bodies currently awarding Health and Social care, Childcare and Playwork qualifications in Wales.
- Learning providers preparing learners for qualifications in this sector.
- Learners who would be taking new qualifications from 2019.
- Learners who would be part way through taking legacy qualifications in 2019.
- Employers of learners working towards qualifications in this sector, and of learners who are awarded these qualifications.
- Sector bodies with an interest in the qualifications, such as the Care Council for Wales.
<table>
<thead>
<tr>
<th>Group</th>
<th>Positive impact</th>
<th>Negative impact</th>
<th>Suggested actions to mitigate negative impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Awarding bodies currently awarding Health and Social Care, Childcare and Playwork qualifications in Wales.</td>
<td>The successful awarding body or bodies would have exclusive access to funded learning provision and would be able to invest with confidence in the development of new qualifications.</td>
<td>Awarding bodies who are currently awarding qualifications that are replaced, but who did not win a concession contract, would lose business in Wales. There might be knock-on effects to other business that they had with centres who switched to the successful awarding body.</td>
<td>Qualifications Wales would make it clear that it welcomed applications from awarding bodies operating in partnership (providing accountabilities were clear). This might allow awarding bodies to play to their unique strengths. For most awarding bodies the proportion of their business in this sector in Wales represents a very small proportion of their wider business.</td>
</tr>
<tr>
<td>Learning providers preparing learners for qualifications in this sector.</td>
<td>Learning providers would benefit from improved approaches to assessment from the new qualifications. All publicly funded learning programmes would be following the same qualification, making choices clearer and facilitating the pooling and/or exchange of resources.</td>
<td>Learning providers would need to adapt to the changes and might be unwilling to give up existing qualifications – or to change awarding bodies.</td>
<td>An extensive programme of change management and workforce development is being planned to support the proposed development of the new qualifications. The contract with commissioned awarding bodies would require awarding bodies to support centres in the administrative and practical arrangements for switching, where necessary. [We would expect this to be at little or no direct cost to learning providers].</td>
</tr>
<tr>
<td>Learners who will be taking new qualifications from 2019.</td>
<td>Learners would benefit from carefully designed new qualifications to meet their needs, with clear progression routes into employment and into higher education and more efficient and accessible assessment. Learners would be able to take all new qualifications through.</td>
<td>Learners taking new qualifications for the first time may sometimes feel that they are at a disadvantage to subsequent cohorts as the learning and assessment workforce gets up to speed. Learners taking the new qualifications might be concerned that their qualifications might not be recognised by.</td>
<td>The change management programme would ensure that learning providers are well prepared, with appropriate resources, to support learners taking the new qualifications for the first time. Consideration would be given to ensuring that learners are not unfairly disadvantaged against candidates taking legacy qualifications.</td>
</tr>
<tr>
<td>Learners who will be part way through taking legacy qualifications in 2019.</td>
<td>Employers of learners working towards qualifications in this sector, and of learners who are awarded these qualifications.</td>
<td>Sector bodies with an interest in the qualifications (for example, the Care Council for Wales).</td>
<td>the medium of Welsh if they choose to do so.</td>
</tr>
<tr>
<td>Learners may be unsure, amidst publicity for the new qualifications, as to whether they can complete their qualifications – and whether they would be valued.</td>
<td>The new suite of qualifications would be designed to assess the skills, knowledge and understanding that employers need – and to provide more efficient forms of assessment than the present suite. Employers would be able to have more confidence in the competency of learners applying to them with qualifications.</td>
<td>Sector bodies would be able to contribute to the development of the new suite of qualifications and would be able to have more confidence in the competency of learners presenting qualifications with a view to registration (where applicable).</td>
<td>Initially, the new qualifications would be unfamiliar to employers who would have to understand how they equated to earlier qualifications – as both might be presented by applicants. Employers’ involvement in hosting and supporting assessment might also need to change.</td>
</tr>
<tr>
<td>Arrangements would be made to ensure that legacy qualifications were eligible for use on funded programmes for learners who needed to complete qualifications. Communications handling would be careful not to be damaging to learners taking legacy qualifications.</td>
<td>Communications with and for employers about what the qualifications mean would be important – as would engagement with employers to help them understand their role in supporting learners taking qualifications while working.</td>
<td>Communications with and for employers about what the qualifications mean would be important – as would engagement with employers to help them understand their role in supporting learners taking qualifications while working.</td>
<td>Qualifications Wales would continue to engage closely with sector bodies in the development of the qualifications and to ensure that the portability of the qualifications in other parts of the UK would be promoted.</td>
</tr>
</tbody>
</table>
**Protected characteristics under the Equality Act 2010**

We considered each of these characteristics in terms of any specific impact on *learners* with these characteristics and in terms of any *wider* indirect impact on other people with these characteristics. We did not identify any negative impacts on people with any of the protected characteristics.

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Positive impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td><em>Learners</em>: no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider impacts</em>: it is likely that a higher proportion of people with disabilities are receivers of care than of the general population. Improvements to the qualifications should result in improved skills for carers and more person-centred approaches – benefitting people with disabilities who are receivers of care.</td>
</tr>
<tr>
<td>Gender</td>
<td><em>Learners</em>: as significantly more women than men take qualifications in this sector, then more women would benefit from the changes to the qualification – but the changes are unlikely to differently affect female or male learners. <em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit both men and women who are receiving care.</td>
</tr>
<tr>
<td>Race</td>
<td><em>Learners</em>: no specific impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit those of any race who are receiving care.</td>
</tr>
<tr>
<td>Age</td>
<td><em>Learners</em>: There tends to be a higher proportion of older learners taking qualifications in this sector than in other sectors. The changes to the qualification should benefit learners of all learners of all ages (over the age of 14). <em>Wider positive impacts</em>: older people and children are more likely to be recipients of care than people of other ages. They should benefit from improvements in the level of competency of care givers.</td>
</tr>
<tr>
<td>Gender reassignment</td>
<td><em>Learners</em>: no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit transgender and transsexual people who are receiving care.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td><em>Learners</em>: no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit people of any sexual orientation who are receiving care.</td>
</tr>
<tr>
<td>Marriage and civil partnerships</td>
<td><em>Learners</em>: no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit people who are married or in a civil partnership and who are receiving care – or in a marriage or civil partnership with a recipient of care.</td>
</tr>
<tr>
<td>Pregnancy and maternity</td>
<td><em>Learners</em>: no specific positive impact</td>
</tr>
<tr>
<td></td>
<td><em>Wider positive impacts</em>: the strengthening of person centred approaches to care should benefit people who are pregnant or have young children and who are receiving care or relatives of such people. Parents of young children who require day care or playwork services should benefit from a more skilled workforce.</td>
</tr>
<tr>
<td>Religion or belief</td>
<td>Learners: no specific impact</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td>Wider positive impacts: the strengthening of person-centred approaches to care should benefit people of any religion or belief who are recipients of care or relatives of such people.</td>
</tr>
</tbody>
</table>

The Welsh Language

The following positive impacts on the Welsh Language have been identified:

- All commissioned qualifications would be required to be available for assessment through the medium of Welsh. This would provide certainty to learners wishing to access Welsh-medium assessment that all of the available qualifications may be taken in this way. Welsh-speaking learners would have access to exactly the same range of qualifications as English-speaking learners.
- Having a single awarding body for each qualification would support more efficient deployment of Welsh-speaking assessors and quality assurance staff.
- The proposed change management process would provide time and support to learning providers and awarding bodies to prepare for implementation of the new qualifications – including for the development of Welsh-medium services and learning resources.

Data protection

The commissioning process may result in awarding bodies having to provide more information to Qualifications Wales than they have previously been required to provide – and some of this may be commercially confidential. Qualifications Wales would securely store all such data received and would implement appropriate secure retention and disposal processes in order to protect such data and to restrict its use to the purposes intended.

Children’s rights

If we do restrict and commission new qualifications in Health and Social Care, Childcare and Playwork we would make sure that the new qualifications cover the ability of learners who intend to work with children to understand, and support through their work, the articles of the United Nations Convention on the Rights of the Child (UNCRC).

Where qualifications are taken by learners under the age of 18, then the design and implementation of these new qualifications would support, in particular, article 29 of the UNCRC – ‘the right to education which develops your personality, respect for others’ rights and the environment’ – especially ‘respect for others’ rights’.
In our sector review, we were keen to hear the voices of children and young people in our ‘analysis’ phase. Through focus groups we listened to over 800 learners – many of whom were under the age of 18. The issues that they raised were reported in our report and have been taken into account in the formulation of our commitments for action – including in our suggestion that we should commission a single suite of qualifications.
Annex 4: Questions from online response form

Part 1 – your response to the consultation

Please respond to the following questions as appropriate to you or your organisation. On open text questions, if you do not wish to respond please state “no response”.

Q1

Do you agree that, of the options we have set out to deliver the outcomes of our review, the most effective in achieving those outcomes is Option 3 (imposing a restriction on some qualifications in the Health and Social Care Sector in Wales)?

1. Yes
2. Yes, but with reservations
3. No

(If Q1 = Yes)

Q2

Please state the most important reasons for your/your organisation’s preference.

(If Q1 = Yes with reservations)

Q3

Please state what your reservations are.

(If Q1 = No)

Q4

Please state the reasons for your/your organisation’s view and your preferred alternative approach (Option 1, 2 or another alternative approach that you wish to recommend).

Q5

Please outline any positive impacts that you feel that option 3 would (or might) have on you or your organisation, the learners, employers, individuals in receipt of health and social care services or other stakeholders.
Q6

Please outline any negative impacts that you feel that our option 3 would (or might) have on you or your organisation, the learners, employers, individuals in receipt of health and social care services or other stakeholders.

Q7

Please outline any views you have on the list of qualifications we are suggesting should be restricted.

Q8

Would you like to comment on whether Playwork should be included within the qualifications at levels 2 and 3 that would be restricted?

1. Yes
2. No

(If Q8=Yes)

Q9

Are you supportive of the suggestion that Playwork should be included within the qualifications at levels 2 and 3 that would be restricted?

1 Fully supportive of the suggestion
2 Supportive of the suggestion with some reservations
3 Not supportive of the suggestion

(If Q9 = 2 or 3)

Q10

Please summarise your reservations in relation to this suggestion.

Q11

Would you like to comment on whether the Occupational Therapist Support Worker pathway should be included within the qualifications at level 3 that would be restricted?

1. Yes
2. No

(If Q11=Yes)
Q12

Are you supportive of the suggestion that the Occupational Therapist Support Worker pathway should be included within the qualifications at Level 3 that would be restricted?

1 Fully supportive of the suggestion
2 Supportive of the suggestion with some reservations
3 Not supportive of the suggestion

(If Q12 = 2 or 3)

Q13

Please summarise your reservations in relation to this suggestion.

Q14

Would you like to comment on whether the Level 4: Social Care Advanced Practitioner with potential specialist pathways and Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways should be included within the qualifications that would be restricted?

1 Yes
2 No

(If Q14 = Yes)

Q15

Are you supportive of the suggestion that the Level 4: Social Care Advanced Practitioner with potential specialist pathways and Level 4: Children’s Care, Learning, Development and Playwork Advanced Practitioner with potential for specialist pathways should be included within the qualifications that would be restricted?

1 Fully supportive of the suggestion
2 Supportive of the suggestion with some reservations
3 Not supportive of the suggestion

(If Q15 = 2 or 3)

Q16

Please summarise your reservations in relation to this suggestion.
Q17
What is your view, if any, on the ‘Lots’ of qualifications that we are suggested should be included in the commissioning process?

If you do not have a view please state “no response”.

Q18
In your view, would the suggested period of restriction, five years, be reasonable for awarding bodies to recoup development costs?

1  Reasonable
2  Too short
3  Too long
4  I don’t know

(If Q18 = 2)

Q19
Please give reasons as to why you believe 5 years is too short.

(If Q18 = 3)

Q20
Please give reasons as to why you believe 5 years is too long.

Q21
Please comment, if you wish, on our analysis of the three different options for addressing the issues identified by our sector review.

If you do not wish to express a view, please state “no response”.

Q22
Please comment, if you wish, on the grounds for imposing a restriction that we have identified.

If you do not wish to express a view, please state “no response”.

33
Q23

Please comment, if you wish, on the examples in Annex 1 of considerations we might make in selecting an awarding body to develop new qualifications?

If you do not wish to express a view, please state “no response”.

Q24

Are there any other points you would like to make about this consultation?

If you do not wish to express a view, please state “no response”.

Part 2: About you

Q25

Name

Q26

Job Title or Relevant Role

Q27

Organisation

If you are not part of an organisation, please state “not applicable”.

Q28

Are you responding on behalf of yourself or your organisation?

1. I am responding on behalf of myself.
2. I am responding on behalf of the organisation named above. Please note: If you select this box, we will assume that you have the authority for your responses to be considered as representations from your organisation.

Q29

Are you

Please select as many as apply.

1. An awarding body representative?
2. A representative of a publicly funded learning provider?
3. A teacher, trainer, tutor or assessor of learners taking qualifications in the health and social care sector?
4. A teacher, trainer, tutor or assessor of learners taking qualifications in the childcare and/or playwork sector?
5. An employer of people in the health and social care sector?
6. An employer of people in the childcare and/or playwork sector?
7. A member or official or a representative or professional body with interest and/or responsibilities in the health and social care sector?
8. A member or official or a representative or professional body with interest and/or responsibilities in the childcare and/or playwork sector?
9. An individual who is in receipt of health and social care services?
10. A carer of an individual who is in receipt of health and social care services?
11. A carer of an individual who is in receipt of childcare and/or playwork services?
12. A current or potential learner on health and social care, childcare, and/or playwork qualifications in Wales?
13. Another stakeholder in qualifications in the health and social care, childcare, and/or playwork sector?
14. None of the above

(If Q29=1)

Q30

Does your awarding body currently award health and social care, childcare, and/or playwork qualifications in Wales?
1. Yes
2. No

(If Q29=2)

Q31

Is the publically funded learning provider a

1. School
2. Further education institution
3. Work based learning provider
4. NHS trust training department
5. Other (please specify)

(If Q29 = 3)

Q32
Which of these apply to you?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q29=4)

Q33
Which of these apply to you/your organisation?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q29=5)

Q34
Which of these apply to you/your organisation?
Select all that apply
1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q29=6)

Q35
Which of these apply to the service you/the person you care for receive?
Select all that apply

1. Health care
2. Social Care
3. Childcare, learning and development
4. Playwork

(If Q29=7, 8 or 9)
Q36

Please describe you/your organisation and your interest in this consultation.

Q37

Before reading this consultation had you been aware of Qualifications Wales’ Sector Review of Health and Social Care?

1. Yes
2. No
3. Don’t know

Q38

Have you read the report of the Sector Review?

1. Yes
2. No
3. Part of it

Q39

Did you contribute to the Sector Review while it was underway?

1. Yes
2. No
3. Don’t know

(If Q39=Yes)

Q40

Did you meet with a member of Qualifications Wales’ staff?

Select all that apply

1. Attend a presentation or workshop?
2. Reply to the online consultation?
3. Undertake any other activities in connection with the review?
   Other (please state)
PART A - STATUTORY BASIS FOR THE SCHEME

Section 15 of the QWA states:

15 Power to make arrangements for development of restricted priority qualification

(1) Qualifications Wales may enter into arrangements with an awarding body the effect of which is to provide for the body to develop a new form of a restricted priority qualification, with a view to the prospective approval of that form of the qualification under section 16.

(2) The arrangements may make provision about, among other things—
   (a) criteria to be met by the form of the qualification to be developed;
   (b) payments to be made by Qualifications Wales in respect of its development.

(3) Qualifications Wales must prepare a scheme making provision about the making of arrangements under this section.

(4) Qualifications Wales must exercise its functions in accordance with the scheme.

(5) The scheme must provide for a procedure that is open, fair and transparent.

(6) Qualifications Wales may revise the scheme.

(7) The scheme must be published by Qualifications Wales.

This scheme is made pursuant to Section 15(3) and is published pursuant to section 15(7)

PART B – GENERAL PROVISIONS
The arrangements made under section 15(1) will be set out in a written contract between Qualifications Wales and the relevant awarding body. No arrangements will be valid unless and until such a contract has been made.

Any such contract will be awarded in accordance with the procedure set out in Part C of this Scheme.

In carrying out the procedure, Qualifications Wales will act fairly, openly and proportionately, and in accordance with its published Restriction Policy

PART C – AWARD PROCEDURE
In some cases, the Concessions Contracts Regulations will apply and this flow chart is considered to be in accordance with these

In other cases, Qualifications Wales will apply the process shown below.
Prior to commencing the formal commissioning process, Qualifications Wales will undertake planning and initial preparation including: the consideration of the business case and regulatory impact assessment, identification of risks; definition of objectives, specification, selection and award criteria. Qualifications Wales will carry out market research, market soundings or hold events to explain the project to potential bidders and encourage interest.

**Stage 1**
Issue of invitation to submit outline solutions to each of the short-listed bidders.
Submission of outline solutions by bidders
Objective of Stage 1 is to enable Qualifications Wales to gain a better understanding of the range, nature and scope of bidders’ potential solutions to meet Qualifications Wales’ requirements.

**Stage 2**
The bidders’ outline solutions will lack detail. The dialogue rounds are used to work on the areas of the solutions that require that development. Detailed dialogue meetings with each of the bidders. There may be more than one round of shortlisting exercises during this stage, reducing the number of solutions and bidders involved after each round based on the award criteria.

**Stage 3**
Final bids received Qualifications Wales can clarify elements of bidders’ final bids provided this does not involve changes to the basic features
Qualifications Wales will undertake an evaluation process to identify the preferred bidder(s).

Qualifications Wales will notify the preferred bidder(s) and the other bidders of the outcome of the procurement. Qualifications Wales and the preferred bidder(s) may clarify aspects of the final tender provided that there are no substantial changes to the final bid.

The preferred bidder(s) will enter into an agreement with Qualifications Wales. Qualifications Wales will observe a standstill period of 10 calendar days before entering into the agreement(s).
Qualifications Wales will update QW and inform awarding bodies and centres of transitional arrangements and timescales once the qualifications have been approved.
Next Steps

Following the close of this consultation, Qualifications Wales will analyse the responses and consider whether or not to proceed with option 3 and to propose a restriction on the qualifications. Should we decide to proceed with option 3 we will seek the agreement of Welsh Ministers to list the qualifications on the Priority Qualifications List and would publish a notification of our proposal to impose a restriction under section 14 of the Act. We would consider any representations received in response to that notification before determining whether to proceed with the restriction. Should we subsequently decide to proceed with a restriction we would publish this decision and would then begin the commissioning process to appoint an awarding body (or bodies) to develop new qualifications to meet the needs of learners in Wales.