

# Revised Designation Policy Explanatory Note



October 2021

We have published a revised [Designation Policy](#) following a review and this document provides an overview of the changes and explanation of how we envisage the policy will be applied in future reform projects.

## Introduction

Qualifications Wales is the independent regulator of qualifications in Wales, including GCSEs, A levels and vocational qualifications. We regulate qualifications, awarding bodies offering those qualifications and the qualification system. We regulate awarding bodies that have been granted recognition, and in order to remain recognised by us, the awarding bodies must comply with our requirements on an ongoing basis, and we monitor and review their compliance over time. We do this to meet our statutory aims of ensuring that qualifications and the qualification system meet the reasonable needs of learners and command public confidence.

To achieve our aims, we have a range of legal powers and responsibilities set out in the [Qualifications Wales Act \(2015\)](#). Section 29 of the Act describes our powers to designate qualifications.

### **What is designation and what is a designated qualification?**

Designated qualifications are one of the three categories of qualification that we regulate, in addition to Approved and Other Regulated qualifications.



**Approved qualifications** are qualifications where we have identified a gap or need in the market that is not being served by existing qualifications and therefore we have used our powers by publishing Approval Criteria to ensure the development of a qualification that meets the needs of learners in Wales. By publishing Approval Criteria, recognised awarding bodies must demonstrate that they will comply with these Criteria before they are permitted to offer those qualifications. All Approved qualifications must meet all our qualification-specific requirements including for example, being fit for purpose for Wales and being available in Welsh. All Priority qualifications (included on the Priority Qualifications List, jointly owned by us and Welsh Ministers) are Approved qualifications.

**Designated qualifications** are available to learners in Wales as well as outside Wales as they were usually developed elsewhere across the UK. Awarding bodies must submit their qualifications to be designated and if they meet our designation requirements, then we will designate them in accordance with our Designation Policy. We designate these qualifications for a specific period and awarding bodies can submit the qualification for further periods of designation.

Both Approved and Designated qualifications are eligible for use on courses of training or education for learners under the age of 19 funded by Welsh Government. The third category of regulated qualifications, called 'Other'<sup>1</sup> are not eligible for drawing down funding in this way.

## The purpose of our designation policy

The [Designation Policy](#) outlines our approach to designated qualifications and it covers the matters we are likely to take into account in deciding whether to designate a qualification, and for what length of time (called the designation period). The policy also sets out our approach to deciding whether to revoke a designation as well as specifying purposes e.g. that the qualification can be offered to particular learners, ages, and in specific settings such as schools, colleges, training providers, pupil referral units.

Our processes are also set out in the policy and more detail for awarding bodies is found in the [Rules about Applications for Designated Qualifications](#).

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<sup>1</sup> All qualifications that we regulate fall into one of three categories – Approved, Designated and Other Regulated.

## **Why we reviewed the Designation Policy?**

The Designation Policy was scheduled for review in 2020-21. As part of this review, we have included more detail around statutory powers that we already have by virtue of the Act but had not set out in detail in previous versions of the policy. These are **designation for specific purposes** and qualifications that are the **same or similar** to Approved qualifications. We wanted to include more on these aspects because we foresee using these powers in our upcoming reform work; for example, in securing new pre-16 qualifications to support the new curriculum and in reforms to the Skills Challenge Certificate qualifications. It is important that stakeholders are aware of and understand the policy, how it will work in practice and implications for awarding bodies and centres.

## **What are the main revisions we have made to the Designation Policy?**

The two key revisions that we have made to this version of the Designation policy are:

1. Same and similar; and
2. Designation for specific purposes.

Both are explained in more detail below.

### **Qualifications that are same / similar**

As set out in the Qualifications Wales Act 2015, Designated qualifications cannot be the same or similar to Approved qualifications. Furthermore, when we restrict the number of forms of a qualification, we must ensure no other forms of the qualification remain in the system. This is because part of our remit is to ensure that the qualifications that are offered in the system are fit for purpose for learners in Wales and provide value for money. In this way, we must ensure that the national qualification offer is coherent overall which means there is a sufficient level of choice for learners and a healthy degree of competition without there being unnecessary duplication or nugatory competition. Approval Criteria will have been developed by us to meet an identified need or address a particular issue; as such, this is the qualification that should be taken for this purpose by learners on publicly funded programmes of learning. Availability of same or similar designated qualifications in the same space could undermine the intention of our reform work.

The amended Designation Policy includes a section on same / similar qualifications and explains where Designated qualifications are determined to be same or similar, then they will be revoked.

There are points in time where Designated qualifications are most likely to be identified as same/ similar to an Approved qualification and they are:

- When a new qualification is submitted for designation, and we determine it is same or similar to an Approved qualification or Approval Criteria and we reject the application; and
- Where we publish Approved Criteria, existing Designated qualifications are determined to be same or similar to the Approved qualification and will be revoked.

A flow diagram describing the process of identifying designated qualifications that are the same or similar to Approved qualifications/ Approval Criteria at the point of submitting the qualification for designation is available below.

Our work in reforming qualifications, including those to support the new curriculum, will mean that it is likely that decisions around same / similar qualifications will be made as we look to introduce new Approved qualifications.

### **Designation for specific purposes**

The Qualifications Wales Act enables us to designate a qualification for specific purposes. This means that we permit an awarding body to offer the qualification in certain circumstances or conversely, we may specify in which circumstances we do not permit the qualification to be offered. Specific circumstances might mean specifying particular audiences, such as learner groups, for example, those over 16 years of age. Or we could designate the qualification for use in specific types of centres, for example, further education colleges.

Importantly, where we identify that some learners' needs cannot be addressed by Approved qualifications, we can designate for specific purposes to ensure that the reasonable needs of learners are met.

Designation for specific purposes can be determined at various points in time.

- When we receive a submission for a Designation qualification, we could designate for specific purposes, which would stipulate under which circumstances the qualification can or cannot be offered; and
- During the life of a Designated qualification, we may identify that a qualification is same or similar to an Approved qualification and while we can revoke the qualification, we also may designate for specific purposes where the designated qualification meets a need or gap that we have identified that cannot be served by the Approved qualification.

### What does this mean for Awarding Bodies?

- If you are planning to review a qualification or develop a new one, you need to consider how it will meet future needs and align with our reform work.
- Before applying for designation, we ask that Awarding Bodies check whether there are any Approved qualifications or published Approval Criteria that are same / similar to the qualification they wish to submit for designation.
- Where an Awarding Body has existing designated qualifications, these may be affected by Approval Criteria that we publish or are about to publish, where they are identified as same or similar. We may revoke designation or change the designation – specifying which purposes the qualification can or cannot be offered (e.g. only for learners post-16). The Designation Policy has more detail on the process of revoking a designated qualification including representations from Awarding Bodies.
- In accordance with the Standard Conditions of Recognition, Awarding Bodies must manage any changes in status of qualifications and this includes situations where designated qualifications are revoked or where specific purposes are introduced. Awarding Bodies must have a plan in place to safeguard the interests of learners (see Condition D6 and associated guidance). Notifying learners, centres and purchasers of the affected qualification is paramount to manage change effectively.

### What does this mean for centres?

- Centres who currently prepare learners for the affected qualifications will need to be alert of changes including the end dates for these designated qualifications as they will not be able to start learners on qualifications after the Typical Learner Start Date (i.e. the last date a learner can start a course that is preparing them for a qualification that is coming to an end).
- In cases where a qualification is designated for specific purpose(s), Centres will need to be aware of those specific purposes to ensure that they are able to use those qualifications as intended for specific settings or learner groups and draw down funding compliantly.
- To help centres keep up to date with qualification reform developments, we produce a stakeholder newsletter [the Slate](#) which centres can subscribe to. All the qualifications we regulate are on our qualifications database, QiW, include the periods both Approved and Designated qualifications are live and available for learners.

## How will the policy work in practice?

In the previous section, we have described the two main additions to the revised Designation policy.

At the end of this document, you will find two process diagrams which summarise how we intend to use the Designation policy in the following scenarios:

- When a new qualification is submitted for designation (Annex A); and
- When we assess existing qualifications as a result of approving a new qualification or because we have published new Approval Criteria (Annex B).

The following are examples of qualification reform projects where we envisage using the Designation policy in the future. The three examples are:

1. Developing a new Advanced Skills Baccalaureate Wales
2. Two workstreams within Qualified for the Future: -
  - a. Securing newly reformed GCSEs to support the new curriculum; and
  - b. Securing the wider offer for learners pre 16 to support the new curriculum

### **Developing a new Advanced Skills Baccalaureate Wales**

We have recently commissioned the development of a Level 3 Advanced Skills Baccalaureate Wales, which will replace the current Level 3 Advanced Skills Challenge Certificate (Welsh Baccalaureate).

The current Level 3 Advanced Skills Challenge Certificate has been subject to significant evaluation and review, culminating in new design requirements which we consulted on. Following consultation, the requirements were refined and used to produce the Approval Criteria, which describe the purpose of the new qualification and outline the design requirements. The commissioned awarding body will now begin the detailed qualification development work to meet the requirements of the Approval Criteria.

It is our intention that, where the needs of learners are met by the new Level 3 Advanced Skills Baccalaureate Wales, it is the only qualification available to those learners, as the availability of same/ similar alternative designated qualifications would undermine the intention of the reform work. We will conduct an exercise to determine whether any designated qualifications are same or similar to the new qualification, and where we conclude that there are, those qualifications will be

revoked unless we designate for a specific purpose due to a need or gap that we have identified and they do not undermine the Approved qualification.

We will be writing to Awarding Bodies in the new year with further details of the process and timeline.

## **Qualified for the Future**

### **Securing newly reformed GCSEs to support the new curriculum**

The recent *Qualified for the Future: The Right Choice for Wales* consultation has determined the range of subjects that should be available as future GCSEs, as well as other closely related made-for-Wales qualifications, to support the implementation of the Curriculum for Wales. The new curriculum will be in place from 2023, with the first cohort of learners undertaking the new qualifications from 2025.

The range of subjects that will be made available as GCSEs includes new subjects.

Once all the new GCSEs and the other made-for-Wales qualifications have been through the development process, they will hold approved status. Qualifications that are considered same or similar to Approved qualifications cannot be designated.

Existing Designated qualifications that are same or similar to the new Approved GCSEs or the other made-for-Wales qualifications in aspects such as purpose and audience will therefore be revoked unless they are designated to meet a specific need or gap that we have identified and do not undermine or overlap with the Approved qualification.

### **Securing the wider offer for learners pre-16 to support the new curriculum**

*'Determining the future range of qualifications taken at 16 as part of the wider offer'* is a workstream within the third phase of the *Qualified for the Future* project. In our first *Qualified for the Future* consultation, we committed to consider what other qualifications should be available as part of the whole 14-16 qualification offer to 'contribute to a coherent and inclusive offer' to meet the needs of all learners in Wales.

The current wider offer of qualifications are the qualifications that sit outside of the main GCSE offer. At present there are over 1,400 qualifications available to pre-16, in which around 1,100 are Designated qualifications. When considering the future wider qualification offer, we will use our qualification review activity and stakeholder views to proactively shape the offer. If our work identifies a need to, for example, introduce additional Approved qualifications for 14-16-year-olds in Wales, we may use this policy

to revoke Designated qualifications that are the same or similar to the Approved qualifications, or revise the purpose for which a qualification may be designated e.g., not designated for 14-16-year-olds but for 19+.

### **Next steps**

As these projects progress, we will be communicating with Awarding Bodies and Centres through our regular newsletters, meetings and letters to Responsible Officers.

Coming up in the next few months we plan to write to Awarding Bodies about the wider offer workstream and later, in the new year, we will be sharing information about the new Advanced Skills Baccalaureate Wales.

### **Further information**

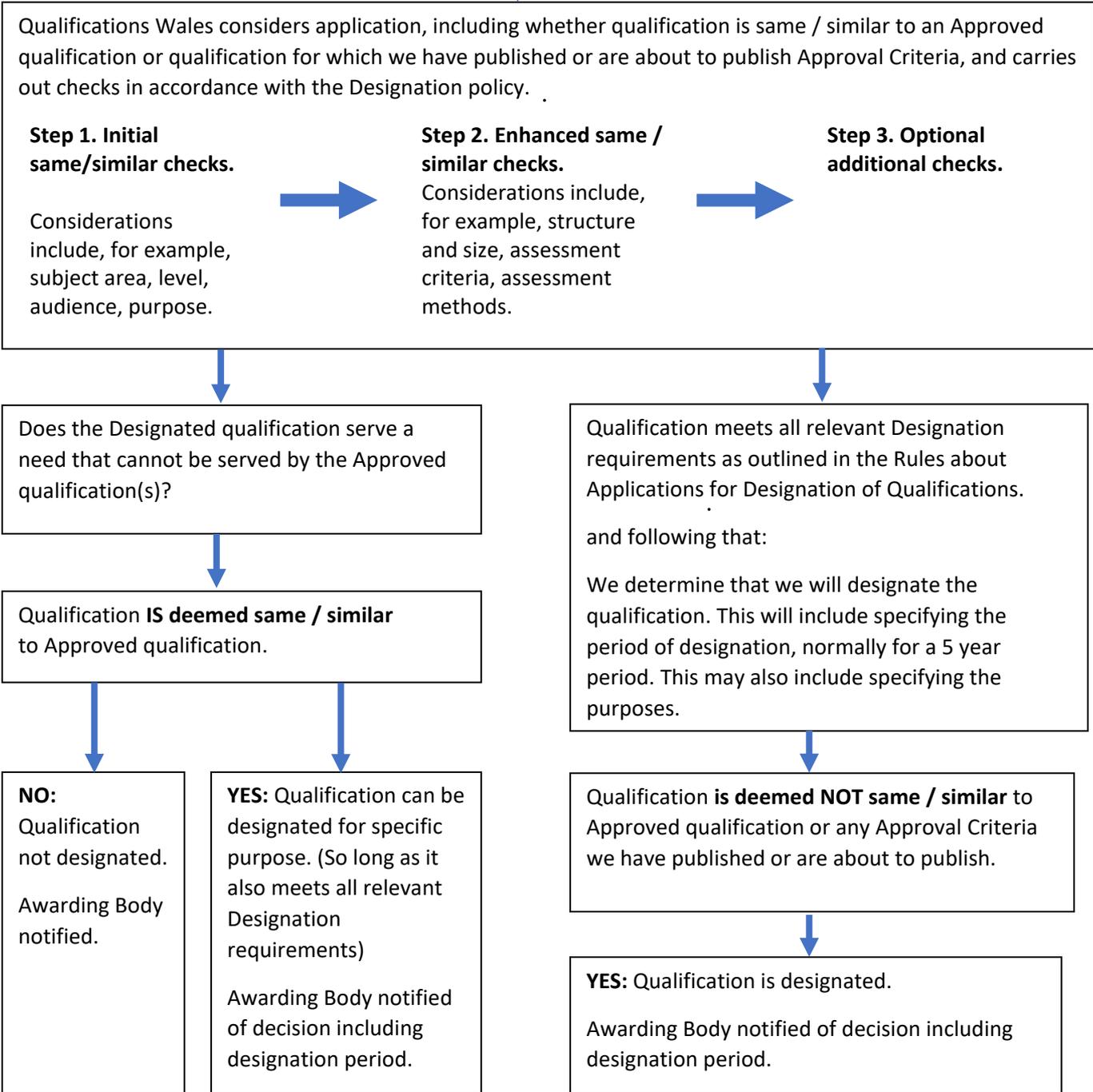
[Designation policy](#)

[Rules about designation](#)

[Regulatory Framework and Approach](#)

**Annex A: Identifying and assessing same / similar qualifications when a new qualification is submitted for designation**

**Recognised Awarding Body submits qualification for designation.**

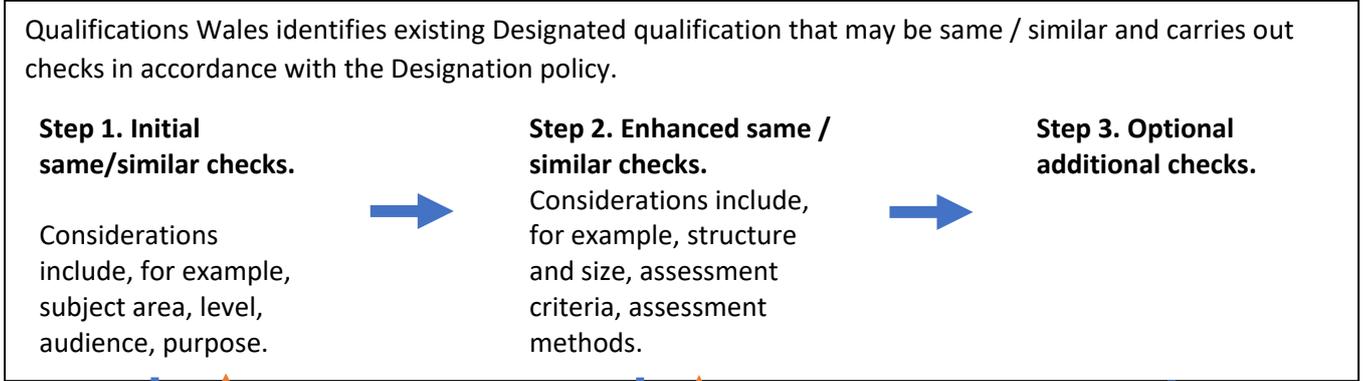


**Disclaimer**

This diagram is indicative only and procedures and processes referred to have been summarised and simplified for clarity and illustrative purposes.

**Annex B: Assessing an existing designated qualification when a new qualification has been approved or new Approval Criteria have been published**

**A new qualification is approved or Approval Criteria are published or about to be published.  
Existing Designated qualifications will need to be assessed to determine if they are same/similar.**



Existing Designated qualification **deemed to be same / similar** to new Approved qualification or with new Approval Criteria (published or about to be published) and we intend to revoke designation.

Awarding Body notified and invited to make representations within 20 days.

Existing Designated qualification **deemed to be same / similar** to new Approved qualification or with new Approval Criteria (published or about to be published) however there are features that the Approved qualification cannot serve and **we intend to designate for specific purposes.**

Awarding Body notified and invited to make representations within 20 days.

Existing Designated qualification **deemed NOT TO BE** same / similar to new Approved qualification or qualification with new Approval Criteria.

Where representations are received, Qualifications Wales gives due regard to them and decides to proceed or review its decision. Where no representation, proceed.

Where representations are received, Qualifications Wales gives due regard to them and decides to proceed or review the decision. Where no representation, proceed.

Awarding Body notified of confirmation of designation including any amendments to end date of designation period.

Awarding Body notified of decision to revoke.

Awarding Body notified of decision to designate for specific purposes.

Awarding Body prepares Plan under Condition D6 which includes its arrangements to communicate phased exit with its centres.

Awarding Body prepares Plan under Condition D6 which includes its arrangements to communicate changes with its centres.

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