



Designation Policy

SEPTEMBER 2021



Version History

This is version 2 of Qualifications Wales' Designation Policy and was published in September 2021.

We keep our regulatory documents under review and welcome feedback at any time. Please send any comments to policy@qualificationswales.org.

This document is available in [Welsh](#).

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Introduction

1. The aim of this policy is to explain our approach to designation, the matters we are likely to consider in designating qualifications, and our approach with regards to revoking designation.
2. Section 47 of the Qualifications Wales Act 2015 ('the Act'), requires Qualifications Wales (hereafter referred to as 'we' or 'us') to prepare a policy statement which sets out our functions, including our functions in relation to designation.¹ In line with the Act, this policy covers the matters we are likely to take into account in deciding whether to designate a form of qualification under section 29, in determining the period for which such a designation is to have effect, and in deciding whether to revoke such a designation.²

Definition of designation

3. Designated qualifications are one of the three categories of qualification that we regulate, in addition to Approved and Other. The diagram below provides an overview of the categories of regulated qualifications:



¹ Section 47(1)(c), Qualification Wales Act 2015.

² Section 47(2)(b), Qualifications Wales Act 2015

4. Approved qualifications are made in Wales and are qualifications for which we have usually published Approval Criteria. Awarding bodies must demonstrate they comply with these before we permit them to offer those qualifications. Designated qualifications are often designed and available elsewhere and we designate them for use in Wales. Both Designated and Approved qualifications are eligible for use on publicly-funded courses of training or education for learners under the age of 19.
5. Under section 29 of the Act, when considering whether to designate a qualification we must consider whether it would be appropriate for use on a course of education or training that leads to the award of that qualification.
6. While we decide which qualifications to designate or approve for use on courses that are eligible for public funding, decisions about the funding of such programmes are made by Welsh Government. Welsh Government sets its policies in relation to the funding of different types of programmes of learning. Learning providers should refer to information provided by Welsh Government in determining what courses or programmes of learning to provide.

Application requirements

7. Awarding bodies must submit their applications for designation to us. Only awarding bodies that are recognised by us can apply to designate their qualifications. For more information about applying for recognition to us, please refer to our [Recognition Policy](#).
8. Applications for designation are made under section 29 of the Act, and an awarding body can submit an application in relation to a form of qualification that it offers or wishes to offer and in respect of which it is recognised.
9. As required by section 33 of the Act, we have published [Rules About Applications for Designation](#). The Rules set out the main steps and procedures to follow when applying for designation. We will assess applications in line with this policy and the Rules. We may publish specific rules about applying for designation of different types of qualification, for example, some rules may only apply to GCSE Qualifications.
10. Awarding bodies must make their applications for designation of qualifications through our online qualifications database 'Qualifications in Wales' (QiW) at the following website:

qiw.wales

11. In applying for designation of a qualification, an awarding body will need to supply evidence that the qualification meets specific requirements. We may, in the context of designation, set specific evidence requirements linked to the design and development of qualifications.
12. The evidence assessed as part of the designation process is not a general indication for whether or not an awarding body is compliant with the Standard Conditions of Recognition. However, where appropriate, this evidence may inform our monitoring activity.
13. Once we have considered the application, we will contact the awarding body to make them aware of our decision. Where we decide to designate the qualification, we will contact the awarding body via QiW. The qualification will be listed as designated on QiW. Where we decide not to designate the qualification, or to designate it for a specific purpose or purposes, we will write to the awarding body to inform them of this.
14. An awarding body must only submit a qualification for designation if it is satisfied the qualification is not already approved or about to be approved. For awarding bodies, this means in practice being aware of what has been published on the Priority Qualifications List, any Approval criteria we have published, and reform work we are undertaking. When submitting the application for designation, we expect the awarding body to check whether there are any Approved qualifications or that we have published Approval criteria that are the same or similar to the qualification being submitted for designation. In this regard, the awarding body must indicate in its application whether it seeks designation of its qualification for a specific purpose or purposes.

Matters we will take into consideration when deciding whether to designate a form of qualification

15. We will only designate a recognised awarding body's form of qualification where we are satisfied that the following requirements are met:
 - i. that it would be appropriate for a course of education or training which leads to that qualification, and which is provided or is proposed to be provided by or on behalf of a school or institution or employer, to be publicly funded;
 - ii. that it is currently appropriate for us to designate the qualification, rather than to approve it as per section 29(4)(b) of the Act;

- iii. that the qualification is not the same as, or similar to, a qualification which is currently approved by us, or for which we have published approval criteria. For more information about the factors we will consider in determining this, see the section on same or similar qualifications below;
- iv. that the qualification is relevant to the organisational and public policy context of Wales;
- v. that the qualification is appropriate for the age ranges of potential candidates. In particular, if the qualification is primarily awarded to a course of education or training normally undertaken by pre-16 learners, the qualification should not attest to occupational competence, or be focused on specific occupations; and
- vi. that the qualification is not currently included on our [Priority Qualifications List](#).

Designation for specific purposes

16. In accordance with subsection 30(6) of the Act, we have the power to designate qualifications for specific purposes, including by reference to the learners to whom the qualification is aimed.
17. We can also specify that a qualification is not designated for one or more specific purposes. For example, we might specify that a qualification is not designated for use in maintained schools, but is designated for all other purposes.
18. The following are examples of specific purposes, but these may vary depending on the context, and are not exhaustive:
- i. for use by particular learner groups. For example, we could consider that the qualification is only appropriate for pre-16 or post-16 learners; or where the qualification is the same or similar to an Approved qualification, that there is a need from a particular learner group that cannot be met by the Approved qualification (including one coming on stream);
 - ii. for use in a particular type of centre. For example, we could consider that the qualification is only appropriate for use in further education institutions; or where the qualification is the same as or similar to an Approved qualification, that there is a demand from a particular type of centre/ institution that cannot be met by the Approved qualification (including one coming on stream); and

- iii. for use in other circumstances where we consider there to be a particular need. For example, to avoid gaps in provision for learners, or to facilitate access to alternative qualification content.
19. We will determine whether or not to designate qualifications on a case-by-case basis, taking into account our principal aims.
20. Designation for specific purposes can be undertaken at various points in time. For example, we could designate for specific purposes when an application for designation is first made to us. We could also consider designation for specific purposes during the life of a designation, which may occur, for example, due to a review or qualification reform work we have undertaken. Qualification reform and sector review exercises are discussed further below.

Same or similar qualifications

21. The Act provides that an existing designation will cease if we subsequently approve a qualification under Part 4. Also, where we restrict the number of forms of approved priority qualifications, we cannot allow any other forms of the qualification to exist in the system. To avoid overlap and duplication between qualifications, we will consider whether the qualification is 'same or similar', as explained further below.
22. When an application for designation is submitted to us, we will consider whether the qualification is the same as or similar to an Approved qualification, or a qualification for which we have published approval criteria or are about to publish approval criteria. We will make a decision about this at our discretion based on a consideration of a range of relevant factors, some examples of which are given in paragraph 24.
23. Where existing Designated qualifications are same or similar to Approved qualifications, the expectation is that their designation will be revoked. However, where the qualification is similar to an Approved qualification but has specific purposes that the Approved qualification cannot serve, we will consider designation for specific purposes.
24. In determining whether a qualification is the same as or similar to a relevant qualification, we will undertake a stepped decision-making process, as follows:

Step 1 – initial same/similar checks of the qualification looking at a range of factors, including but not restricted to: Subject sector area; Title and Level; Purpose and sub-purpose; Audience (e.g. age-ranges and CQFW levels).

Step 2 – if on initial checking we identify that a qualification may be the same as or similar to a relevant qualification, then we will carry out further checks. The factors we will take into account will be determined by us and will depend on the nature of the qualification. These factors may include, but would not be restricted to: qualification structure and size; assessment objectives; what skills, knowledge or understanding is being assessed; assessment methods or learner evidence; and marking criteria.

Step 3 – after detailed checks in step 2, we may decide to carry out optional additional checks. These may include inviting wider feedback from subject experts or centres for example.

25. Where we identify that the qualification is the same as or similar to an Approved qualification or a qualification for which we have published approval criteria, we will either reject the application, or consider whether to designate the qualification for a specific purpose or purposes.

Timescales for designation

26. When we designate a qualification, we will designate it for a specified Designation Period. The Designation Period is the time between the Designation Start Date (the date from which the designation takes effect) and the Designation Certification End Date (the date from which designation ceases to have effect). Learners must have completed their qualification, including resits, by the Designation Certification End Date.
27. In addition, when we designate a qualification, awarding bodies will need to specify a Typical Designation Final Start Date, which is the final date that a learner can start a qualification that is eligible for use on publicly funded programmes of learning for pupils under the age of 19 based on a typical delivery model. Further information on these terms is available in the Glossary at the end of the document.
28. When we designate a qualification, we will normally allow a maximum of 5 years between the Designation Start Date and the Typical Designation Final Start Date. When deciding on dates, we will consider matters including, but not limited to:
- i. whether the qualification is part of a sector review or reform;
 - ii. findings from regulatory activity; and
 - iii. the awarding body's preferred dates as stated in its application.

29. Additionally, a qualification will cease to be designated where the awarding body providing the qualification ceases to be recognised by us or if we subsequently approve the qualification. In such circumstances, we will notify the awarding body of the date the designation will cease to be effective.
30. An awarding body can apply to extend or reduce the Designation Period of a qualification or withdraw the qualification from designation, before the designation comes to an end. If an awarding body does not apply to extend the Designation Period of a qualification, the qualification will become an Other Regulated qualification if the Regulation End Date is later than the Designation Certification End Date.

Revocation of designation

31. Under section 32 of the Act, we may revoke designation.
32. When deciding whether to revoke designation, we will consider the following matters, among other things:
- i. whether we discover, following the commencement of the designation, that the qualification is the same as or similar to a qualification which is currently approved; is listed on the Priority Qualifications List; or for which we plan to publish approval criteria as a result of our qualification reform or sector review work;
 - ii. whether we have deemed an awarding body to have been non-compliant with our Standard Conditions of Recognition or any other relevant regulatory requirements, and withdraw their recognition; or
 - iii. whether skill requirements in a relevant sector of employment have changed significantly since the date of designation, so as to negatively impact the value of the qualification for users.
33. Due to the introduction of new Approval Criteria, there may be existing Designated qualifications that are identified as same or similar. We may revoke the designation or we may decide to designate for specific purposes.
34. If we intend to revoke a designation, we will issue the relevant awarding body with a Notice of our intention to do so. The Notice will:
- i. explain why we propose to revoke the designation; and
 - ii. specify when we propose to decide whether to revoke the designation, and the proposed date at which the designation would expire.

35. An awarding body that receives a notice of our intention to revoke designation has the following two options:
- i. submit representations and/or objections to us about the proposal to revoke designation. The awarding body has a period of no less than 20 working days to do so (from the date of the Notice of intent) and in deciding whether to revoke the designation, we will have regard to any representations made by the awarding body; or
 - ii. do nothing, in which case, we will wait until the period in the Notice (being a minimum of 20 working days) has expired, and then proceed to make a final decision about whether or not to revoke designation.
36. After having considered the relevant awarding body's representations, if we decide to revoke a section 29 designation, we will notify the relevant awarding body of our decision and explain when the revocation will take effect. We will publish a Notice of the decision on our website. This Notice must be given before or on the 31st of December of the year in which the decision is made. The designation will cease to be effective on the 1st of September of the following year, meaning that an awarding body will have a minimum of 8 months between being informed of the revocation and it coming into effect.

Qualification reform and sector review work

37. As part of our qualification reform or sector review work, we may identify the need to develop new Approved qualifications and this could include identifying existing Designated qualifications that are the same as or similar to any new Approved qualifications or qualifications for which we intend to publish approval criteria.
38. Where we decide to revoke an existing designation as a result of our qualification reform or sector review work, we will follow the process for revocation outlined above. Similarly, where we decide that a Designated qualification should be designated for a specific purpose or purposes as a result of our qualification reform or sector review work, we will also follow the approaches outlined above.

Transitional arrangements

39. Where a designation ends sooner than originally expected – for example if qualifications of that type are subsequently approved by us – we will consider what arrangements need to be put in place to protect learners already taking the qualification or expecting to take it. For example, we may consider it appropriate

to continue to treat a qualification as designated until a date that we specify. We may continue to designate qualifications in the period between approval and first delivery of a restricted priority qualification.

Glossary

Designation/Approval Start Date	The start of the designation/approval period and the first date that a learner can start a course leading to a qualification that is eligible for use on publicly funded programmes of learning for learners under the age of 19.
Typical Designation/Approval Final Start Date	The final date that a learner can start a course leading to a qualification that is eligible for use on publicly funded programmes of learning for learners under the age of 19, based on a typical delivery model.
Designation/Approval Certification End Date	The end of the designation/approval period and the final date a learner can be certificated for a qualification that is eligible for use on publicly funded programmes of learning for learners under 19; this includes resits.
Designation/Approval Period	The time between the Designation/Approval Start Date and the Designation/Approval Certification End Date.
Regulation End Date	The final date Qualifications Wales would regulate the qualification.