



Office of the Qualifications and Examinations Regulator
Spring Place
Coventry Business Park
Herald Avenue
Coventry
CV5 6UB

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Dear Colleague

Open letter to Sector Skills Councils (SSCs) and Awarding Organisations (AOs) on the regulatory expectations for developing qualifications for inclusion in the Qualifications and Credit Framework (QCF)

I am writing on behalf of the qualifications regulators for England (Ofqual), Wales (DCELLS) and Northern Ireland (CCEA). Ofqual has committed to a timely series of open letters designed to set out Ofqual's (and others') views and expectations on a given subject. While addressed specifically to you, open letters will be published on the Ofqual, DCELLS and CCEA websites and reported in the Ofqual e-newsletters. This supports all our organisations' ambitions to demonstrate excellence in regulation, and demonstrates our commitment to transparency, one of the Government's five principles of good regulation.

Recently Ministers in England, Wales and Northern Ireland have announced that the QCF is to be implemented. This new modular approach to the way vocational qualifications are awarded will make them more relevant to the needs of employers and more flexible and accessible for learners, without compromising quality. SSCs and AOs have pivotal roles to play in ensuring that the qualifications developed for a sector meet the needs of employers by supporting the Sector Qualifications Strategy (SQS).

The Regulatory arrangements for the Qualifications and Credit Framework is the document which sets out the regulatory arrangements that will apply to the organisations that operate within, and the qualifications that are accredited into, the QCF (www.ofqual.gov.uk/qcf). Paragraph 6.2 requires that qualification proposals submitted for accreditation must also "be 'approved of' by an SSC where the qualification falls within an SSC footprint, or, if the proposal does not fall within an SSC footprint, detail the support of appropriate representative or regulatory organisations and/or evidence of

learner demand, individual or social benefit." (Footnote from p34: "The qualifications regulators will seek and have regard to the advice of appropriate organisations in reaching their accreditation decisions. However, the qualifications regulators will always reserve the right to accredit a qualification that is not supported or 'approved of' by one of these organisations where there is sufficient evidence to justify such a decision.")

The qualifications regulators need to have confidence in the approval process, in order to fulfil their function of accrediting high quality qualifications. The qualifications regulators therefore have the following expectations of the development and approval process for qualifications that fall within an SSC footprint. That:

1. organisations have governance arrangements in place to manage any conflicts of interest between functions that affect the operation of the regulated functions they perform and prevent any restrictive practices.
2. the process of approval will not duplicate regulatory functions.
3. AOs develop vocational qualifications which support the SQS and resulting action plans and are based on the relevant National Occupational Standards (NOS).
4. AOs and SSCs engage in early dialogue prior to qualification development.
5. the process does not add unnecessary burden and bureaucracy to the qualifications development and accreditation system.
6. the approvals process is clearly defined, identifying criteria for approval and timescales that are common across SSCs.
7. within these constraints, SSCs will develop their own approval procedures that they will communicate to all interested stakeholders.
8. the degree of scrutiny of a qualification, and the stage in the process when it is approved by an SSC, will be in proportion to the purpose and importance of the qualification. There will be a presumption in favour of approval at the end of the early dialogue stage. However if, based on the purpose and importance of the qualification, particular risks and issues have been identified by the SSC at the early dialogue stage, approval can occur later in the development process.

Where approval occurs at the early dialogue stage, scrutiny of the qualification should focus on its purpose and alignment with the SQS. Where approval occurs at a later stage, scrutiny of the qualification can also focus on the mandatory units of the rule of combination.

9. qualifications will only require approval from a single identified lead SSC.

10. decisions on qualifications approval should not distort the operation of the qualifications market.
11. SSCs will put in place appeals procedures based on common principles so that awarding organisations are able to challenge approval decisions.
12. there will be no charges associated with the approvals process.

In the interests of transparency a copy of this letter will be published on the Ofqual, DCELLS and CCEA websites from 12 December 2008.

Yours sincerely,



Isabel Nisbet
Acting Chief Executive, Ofqual