

11 February 2015

Responsible Officers of Awarding Organisations

Our Ref: RO31/2015

Dear Responsible Officer

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and Examinations Regulation
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Removing the QCF rules and reviewing the scope of your recognition

In December 2014 we announced that in summer 2015 we will be withdrawing the regulatory arrangements for the [QCF rules](#).

In this letter we explain what effect our decision to withdraw the QCF rules will have on how we describe the scope of your recognition and, in the short term, how this will be reflected on RITS. We also set out our plans for confirming the scope of your organisation's recognition in light of these changes.

Recognition to offer QCF qualifications

All awarding organisations are recognised to award one or more qualifications or descriptions of qualifications. For the purpose of recognition we currently classify qualifications into sectors and levels. Many awarding organisations are recognised to award qualifications within multiple sectors and at many levels; others have a narrower recognition, perhaps for only one or two sectors and/or levels. There are some qualifications, for example GCSE and ESOL, for which additional rules are in place. These qualifications must comply with the additional rules as well as our General Conditions of Recognition.

Many awarding organisations are currently recognised to award qualifications that meet the QCF rules. When we withdraw the QCF rules, the terms 'QCF qualification' and 'QCF recognition' will no longer be relevant. Awarding organisations will still be recognised to award exactly the same qualifications as they are today, but those qualifications will no longer be subject to the QCF rules.

When applying for recognition, awarding organisations must indicate what they want that recognition to cover. Recognition can be described broadly or narrowly, so an awarding organisation could have recognition to offer 'vocational qualifications in every sector and at every level', or it might have recognition for a single, specific qualification.

Recognition and RITS

Once recognised, an awarding organisation is given permission to submit qualifications that fall within its recognition to the Register using RITS. RITS

separates regulated qualifications into a number of types, some of which correspond to the qualifications which have additional rules. QCF qualifications are one such type. We are in the early stages of developing a new IT system to replace RITS, but the new system will not be ready by the time we withdraw the QCF rules. We are therefore planning to make some interim changes to RITS to support the removal of the QCF rules until the new IT system is introduced.

We want awarding organisations to continue to be able to submit credit-bearing qualifications to the Register after we remove the QCF rules. Currently, the only way of doing this is by using 'QCF type' on RITS. When we withdraw the QCF rules, the 'QCF type' will no longer be associated with any additional rules and at that point we will allow all awarding organisations, within the sectors and levels for which they are recognised, to use the 'QCF type' as a way of submitting credit-bearing qualifications on to the Register.

Reviewing the scope of your recognition

Many of you were originally recognised by our predecessors and had your recognition moved across to Ofqual when we were established. Subsequently, when RITS was introduced, many of you were given RITS permissions which were broader than your original recognition. Given the passage of time, your RITS permissions may be the best indication you have of what the scope of your recognition is.

We want to take this opportunity to clarify the scope of each awarding organisation's recognition, starting from the assumption that RITS accurately reflects each organisation's recognition, unless we have an express agreement otherwise.

The Apprenticeships, Skills, Children and Learning Act 2009 sets out that any qualification which is (or may be) awarded to learners in England and, for vocational qualifications, Northern Ireland and which falls within an awarding organisation's recognition is a regulated qualification. The General Conditions require you to submit all regulated qualifications to the Register.

This means that if your RITS permissions are currently broader than the recognition you require, you may be offering qualifications which you think are unregulated but which we will regard as regulated. This could put you at risk of enforcement action in the future.

To remove uncertainty for the future, we are offering an opportunity to review your current RITS permissions against the qualifications you offer. If you find that you are offering qualifications which are not on the Register, but which fall within your scope of recognition, you must either submit them to the Register through RITS, or clarify your recognition to exclude them from its scope.

Even where all of your qualifications are on the Register, it might be beneficial to consider whether your RITS permissions are broader than you need. If you offer, and intend to offer, only a narrow range of regulated qualifications but have broad RITS permissions, you might wish to narrow the scope of your recognition.

When clarifying the scope of your recognition, you may decide to define your recognition by reference to specific qualifications or by reference to one or more

descriptions of qualifications. Although RITS provides a common framework and common language for describing recognition, you can if you wish choose to define your recognition more specifically than RITS currently supports.

Next steps

By the end of February, we will write to you individually setting out the scope of your recognition as it is captured within RITS and, based on the Register, what qualifications you appear to be offering. We will then ask you to confirm whether you wish to amend the scope of your recognition and will set out a clear timeline for conclusion of the exercise. We will also explain how you can contact us if you want to discuss offering qualifications outside the scope of your current recognition.

Following this exercise the recognition of each awarding organisation will be clear. Any qualifications you offer that are within the scope of your recognition will be regulated, must be on our Register, must meet our General Conditions of Recognition and any qualification-specific requirements that apply, whether or not you intended them to be regulated. If they do not, you will be at risk of enforcement action. It will of course remain possible to surrender some or all of your recognition in the future.

Please note that any changes that you choose to make to the scope of your recognition permissions will only relate to qualifications regulated by Ofqual. The changes will not affect your scope of recognition with other regulators, and any queries relating to their regulatory arrangements should be directed to those regulators.

We realise this letter may prompt a number of questions and anticipate that many of these will be answered when you receive your follow-up letter. If at that time you still have questions, please contact our Regulatory Relationships team on regulatory.relationships@ofqual.gov.uk.

Yours sincerely

A handwritten signature in black ink that reads "Jeremy Benson". The signature is written in a cursive style with a long horizontal flourish at the end.

Jeremy Benson
Executive Director for Vocational Qualifications

cc. Roger McCune, CCEA and Kate Crabtree, Welsh Government