

Ofqual

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Guidance

Supporting information: application for recognition

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Preparing to make your application

1.

Before starting an application be aware that we can't regulate anything that isn't a qualification. We consider a qualification to be a product that has the following features:

1. It gives, or is intended to give, a reliable indication of an individual Learner's knowledge, skills and understanding.
2. It is awarded only to a Learner who has demonstrated a particular level of attainment.
3. A certificate is produced naming the qualification awarded to a successful Learner.

We do not regulate training courses because they only certify that someone attended a course and do not make a judgement about the attendee's level of attainment.

Unless otherwise stated, words in Title Case are defined in the ['Criteria for Recognition'](#)

1.1 If you are not yet an awarding organisation

Before you make your application for recognition, we recommend you undertake a thorough evaluation of your operation. Once recognised, we expect you to comply with all of the Conditions which apply to both you as an awarding organisation and to each qualification that you offer. As part of your application we will also expect you to demonstrate you understand and are, or will be, capable of complying with the Conditions. We recommend you complete an evaluation against the Conditions for your organisation's progress and readiness before submitting your application for recognition.

Your Governing Body will play a critical role in assuring us that the awarding organisation is meeting and will meet its regulatory requirements on an on-going basis. The Governing Body must assure itself that, in its opinion, the information in the application clearly demonstrates the organisation's capability and capacity to meet the Criteria before submitting the application.

1.2 If you are already an awarding organisation

If you wish to offer an additional description of qualification, including additional levels or Sector Subject Areas (SSA), you will need to apply to increase the scope of your recognition by [completing an enquiry form](#). We will review your request and write to confirm whether you need to complete a partial or full application. Our decision will be based on the information we already hold about you.

As an existing recognised organisation we may ask you to complete a statement of assurance for part or all of the Criteria as part of the application process. Where we do this you should give us an assurance that you have all of the relevant resources, policies and processes in place to meet the Criteria. You can provide evidence as part of the assurance you give us.

Approach to evaluation

There are a number of different ways you can undertake an evaluation. We do not prescribe a particular method of how you should approach this against the Conditions. The outcome of any evaluation you undertake should be used by your Governing Body to assure itself of your potential level of compliance. Your evaluation should cover the specified qualifications and descriptions of qualifications which you are applying for.

You may choose to submit your evaluation as part of your supporting information. If you do, please clearly identify which documents submitted

with your application provide evidence¹ to support your conclusions.

2.

Submitting your application

[Fill in the online application form.](#)

There is no charge for making an application for recognition.

You may upload your supporting documents as part of your online application. We recommend you send them as an [encrypted zip file](#) _____. please email the decryption instructions and password to entryandexit@ofqual.gov.uk _____

If your application does not meet our [minimum requirements](#) we will return it to you. We will refuse an application where your supporting information does not evidence how you will meet the criteria.

If you experience any problems submitting your application or supporting documents please email entryandexit@ofqual.gov.uk.

2.1 The application process



The full process can take up to ⁵60 working days. We aim to update you at least once every 30 days on your application's progress.

When we consider your application, we will refuse it if we can't see from your evidence how you meet the Criteria. This can happen at any point in the process. If this does happen we will write to you explaining the reasons why your application has been refused.

Stage 1 - initial review of your application

At the initial review stage we will:

- review your responses and supporting information against the criteria to see if your application can progress to stage 2
- complete due diligence checks and verify information you have provided to support your application
- check that the application and supporting information meets minimum requirements and is valid

We will return your application if it doesn't meet these requirements.

Stage 2 - full scrutiny of your application

At the full scrutiny stage we:

- will complete full scrutiny of your application against the Criteria
- will invite comment from Ofqual colleagues and other experts as needed
- may raise questions to you to clarify and issues we identify

Your application may be refused if there is insufficient evidence for us to identify that you have met the Criteria. One example of this would be where we are unable to find sufficient evidence of funding to finance a minimum of one lifecycle of a qualification. Where we refuse your application, we will inform you of the reasons for our refusal.

After stage 2 is completed, if we have decided to recognise you as an awarding organisation, we:

- will tell you the date from which your recognition starts
- may impose an accreditation requirement² or special condition of Recognition³ on you to seek an assurance that you have implemented your previously untested documented practices following recognition

3.

How we assess applications

We consider each application on its own merits including the information:

- you provide
- we gather through our due diligence checks

This means you must make sure you complete the application form fully and provide all relevant supporting information. We will return your application if it is incomplete.

We will evaluate your application against the regulatory requirements that apply to all awarding organisations and for the specified qualifications or description of qualifications you are seeking to be recognised to offer. This will show us how your organisation meets the Criteria.

For each criterion it is important that you provide evidence which demonstrates how you meet the Criteria for Recognition. Responses and supporting information should provide us with the necessary assurance. This should include clear referencing to, and labelling of, documents provided to support your application.

Among other things we will be looking for evidence to show that you both understand the Conditions and will be capable of complying with them once you are recognised.

If the information you provide is incomplete, we will return your application and the application process will end. Our consideration of your application will stop and we will not review any further information. We will tell you the reasons why we have returned your application and confirm the point at which we stopped our consideration.

Before you submit your application you should check whether the information you have provided is clear and unambiguous. Does it show how you will meet the Criteria? For example, if your conflicts of interest policy states you monitor all relevant Conflicts of Interest, you should provide evidence of how you do this.

4.

If you are unhappy with our decision

If you do not accept our decision on your application you can request an internal review of the decision. Please send your request by email to our [Legal Practice Manager](#).

A review is not an opportunity to submit further evidence which you did not send us as part of the original application. Where further evidence is available which addresses the reasons for our refusal, you must start a new application.

We will accept your request for an internal review on the following grounds:

1. Ofqual has not followed its own procedure in assessing the application, or its procedure was flawed for some other reason.
2. Ofqual failed properly to have regard to any specified matter.
3. Ofqual failed to give the appropriate weight to any specified matter.
4. The decision was based, wholly or partly, on an error of fact.
5. The decision is based, wholly or partly, on an error in the application of the Criteria.

The internal review will be a paper-based review carried out by an Officer of Ofqual who has had no previous involvement in your application.

4.1 Re-submitting your application

You can re-submit an application at any time. Any new application which you submit will be reviewed afresh without referring to previous applications. It is important, when you review the reasons for your application being returned or refused, that you look at the whole application and not just the parts where we have provided feedback. We will not charge you to consider any further applications.

5.

Minimum requirements for valid applications

We have set minimum requirements that outline the basic information that we will require before we judge an application to be valid at stage 1.

To be valid, each application must provide:

- evidence to confirm that you are an identifiable legal entity
- evidence of a clear understanding of Conflicts of Interest including relevant documented policies and processes
- terms of reference for committees or groups mentioned in the application
- information on how Senior Officers are recruited and how they are deemed to be suitable
- a business plan providing sufficient information on the financial and people resources which will be made available to develop, deliver and award the qualifications that you want to be recognised to offer
- financial projections for the awarding organisation business and a minimum of three-year forecasts covering best and worst case scenarios to support confidence in ongoing financial viability and business continuity
- processes which explain how you will manage and who will be

accountable for decisions made during the lifecycle of the qualifications you wish to offer

If we do not receive information which provides this evidence as part of your application, we will return your application. We will give reasons for returning the application and explain where we discovered this deficiency in your application.

It should be noted that the information listed above represents the minimum which will be required before we judge an application to be valid. You will also need to supply additional information to demonstrate how you meet the Criteria. Some guidance on the type of information which we will need to assess your application against the Criteria is given below.

6.

Applying for recognition in Wales and Northern Ireland

You should explain in your application where you wish to offer qualifications.

Ofqual only regulate academic and vocational qualifications in England, together with vocational qualifications in Northern Ireland.

To offer qualifications in Wales you need to be recognised by Qualification Wales. To offer academic qualifications in Northern Ireland you need to be recognised by the Council for the Curriculum, Examinations & Assessment (CCEA). Where you are seeking recognition from CCEA or Qualification Wales in addition to Ofqual, each regulator will make its own decision.

In some circumstances Ofqual may act as a single point of application for recognition by all three regulators. Where this is permitted it will be signalled in materials produced by CCEA or Qualification Wales.

Where you wish to apply for recognition by CCEA or Qualification Wales, and we are able to accept applications on their behalf, we will pass your application and supporting documents to them for consideration. Each regulator will make its own decision regarding recognition for the qualifications which it regulates. Any application for a review of a refusal of recognition, where one is available, must be made to the regulator who made the decision.

CCEA and Qualifications Wales have their own criteria for recognition which your application will need to meet.

7.

The 'Criteria for Recognition'

Sections 132 and 133 of the [Apprenticeship, Skills, Children and Learning Act 2009](#) require us to publish Criteria for Recognition (the Criteria) and to then assess applications for recognition against those Criteria. We must recognise an organisation if it meets the Criteria and must refuse to recognise it if it does not.

The requirements set out in the Criteria will enable us to confirm that you are fit to offer the specified qualifications or descriptions of qualifications for which you are seeking to be recognised. That is, you have the appropriate systems, expertise and organisational robustness to allow you to offer regulated qualifications effectively.

In some cases you may be unable to evidence how you meet certain elements of the Criteria. Where appropriate to do so the review of the application will take this into consideration.



You should complete your application solely referencing the Criteria. The ['Criteria for Recognition'](#) is available to view or download on our website.

8.

The 'General Conditions of Recognition'

Section 134 of the [Apprenticeship, Skills, Children and Learning Act 2009](#) require us to set and publish our requirements called the '[General Conditions of Recognition](#)' (the Conditions). Once we have recognised an awarding organisation to offer regulated qualifications, we expect that awarding organisation to be capable of meeting the Conditions on an on-going basis.

There are currently three different levels of Conditions:

1. [Conditions that apply to all awarding organisations and all qualifications](#) (except where certain Conditions may have been disapplied in relation to particular qualifications).
2. Conditions which apply to particular descriptions of qualifications (such as GCSEs and A levels) These are called [Qualification Level Conditions](#).
3. Conditions which apply to qualifications in a particular subject (such as GCSE English Language). These are called [Subject Level Conditions](#).

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1. For example people, procedures and policies. —
 2. An accreditation requirement is a check on a qualification before it goes to market. It may be imposed where you intend to offer qualifications in a high risk or high volume sector, such as a GCSE. —
 3. Special conditions are additional conditions placed on an individual awarding organisation. A special condition at Recognition, for example, may result in you supplying further information in relation to your development process as you start to develop regulated qualifications. —

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