

Ofqual's regulation of qualifications taken by learners outside England and Northern Ireland



Ofqual is the regulator of qualifications (other than degrees) in England and of vocational qualifications in Northern Ireland. Ofqual regulates qualifications where:

- we have recognised an awarding organisation to award such qualifications, and
- those qualifications fall within certain parameters set out in legislation (see below), and
- those qualifications meet Ofqual's requirements.

This note describes when Ofqual can regulate qualifications that are taken by learners outside England and Northern Ireland, and what the regulatory position is in relation to other qualifications offered to learners in other countries.

Ofqual is a qualifications regulator: we do not regulate the teaching of the courses that prepare learners to take assessments.

Section 130 of the Apprenticeships, Skills, Children and Learning Act 2009 sets out which qualifications Ofqual can regulate. A qualification is regulated by Ofqual when:

- it is awarded by an awarding organisation that Ofqual has recognised to award the qualification; and
- there are, or there are likely to be, learners who are assessed for the qualification wholly or mainly in England and/or (for vocational qualifications) Northern Ireland.

This means that there are three scenarios as regards whether Ofqual regulates qualifications being taken by learners in other countries and the relevant awarding organisation. (Local regulatory arrangements may of course also apply.)

1. Ofqual regulates an awarding organisation and its qualification

Where a qualification is regulated by Ofqual, the awarding organisation and the qualification will need to meet the same regulatory requirements regardless of where in the world the learner takes an assessment. This means that if a regulated

qualification is taken by learners in a country outside England or Northern Ireland, it is still a regulated qualification when it is taken by those learners. Such a qualification must be delivered and awarded in line with:

- the General Conditions of Recognition,¹ which are the on-going requirements to which the awarding organisation is subject, and
- any other Conditions relevant to that qualification or awarding organisation that we have set.

The level of assurance about the standard of the qualification and the body awarding it should be the same where the qualification is taken in England or Northern Ireland or in that other country.

2 (a) Ofqual does not regulate the awarding organisation and cannot regulate the qualification

Some awarding organisations and training institutions provide their expertise and bespoke services to customers outside England and Northern Ireland. Where the awarding organisation has not sought, or not achieved, Ofqual recognition for the award of any qualifications, the awarding organisation and training institution are solely responsible for the quality assurance under these types of arrangements.

2 (b) Ofqual cannot regulate the qualification, although it does regulate other qualifications offered by the awarding organisation

If an awarding organisation is recognised by Ofqual to award certain qualifications but one of the organisation's qualifications is taken only by learners outside England or Northern Ireland, Ofqual cannot regulate that qualification. Ofqual's only requirements that affect such provision are to help customers understand that the qualification is not regulated. We require:

- awarding organisations not to make any statement that would be likely to lead customers of qualifications to believe that a qualification is regulated by Ofqual when it is not; and
- the use of our logo to be limited to qualification certificates and credit certificates that refer exclusively to qualifications published on Ofqual's Register of Regulated Qualifications.² Awarding organisations may not use Ofqual's logo on any other certificates, nor (without permission) for any other purposes.

¹ www.ofqual.gov.uk/documents/general-conditions-of-recognition

² <http://register.ofqual.gov.uk>