

## Supporting information: application for recognition

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## 1. Introduction

Awarding organisations can choose to be regulated by Ofqual. If you want us to regulate your qualifications, you should apply to become Ofqual recognised. You'll want to ensure you have a full understanding of what being recognised by Ofqual means: it's a significant undertaking that confers tangible benefits but also imposes requirements that are likely to have an impact on your business. This is because regulated organisations must comply with our regulations on an ongoing basis.

The benefits of being a recognised awarding organisation include the following:

- Your qualifications can be considered for public funding to allow them to be taught in state and publicly funded schools and colleges.
- Recognition provides confidence to qualification users that your organisation has the capacity and competence to develop and offer high-quality qualifications.
- Certificates for regulated qualifications can carry the Ofqual logo – a recognised quality mark.
- Your qualifications will be regulated internationally, as well as in England, provided that they continue to be offered and taken in England as well. The Ofqual quality mark is valued internationally.
- Your qualifications will be listed on the Register of Regulated Qualifications - an important resource for those wanting to find a suitable qualification.
- If you're an apprenticeship end-point assessment organisation (EPAO), you can offer end-point assessments (EPAs) where Ofqual has been selected by the trailblazer to provide external quality assessment.

To become a recognised awarding organisation, you'll need to demonstrate that you have the potential to develop and deliver valid qualifications. You will need to show us you have the expertise, governance, controls and financial capacity to do so effectively on an ongoing basis. Once recognised, as a part of the regulated community you will need to comply with our rules as set out in our [General Conditions of Recognition](#) and any other rules applying the particular type of qualifications within your scope of recognition. Ongoing compliance includes submitting an annual statement of compliance, data returns, and being subject to possible audit (and investigation if we have cause for concern). You'll also need to keep up to date with our communications through our awarding organisation portal.

We aim to minimise the burden of our regulation and we operate a risk-based approach. Our rules are outcomes-based, which means we specify what it is that awarding organisations need to do rather than how they must do it. We aim to support compliance by awarding organisations, including through the sharing of good practice.

The decision to apply for recognition should not be taken lightly, and we're here to help you understand whether Ofqual regulation is for you and what you need to do to become recognised. We will provide you with information and support to assist you in submitting a good quality application. We do not charge you to apply for recognition.

Please be aware that there are limits to what we regulate. We regulate qualifications and EPAs that:

- give, or are intended to give, a reliable indication of an individual learner's knowledge, skills and understanding
- are awarded only to a learner who has demonstrated a particular level of attainment
- will generally involve the award of a certificate naming the qualification to a successful learner, which will include the regulator's logo (not applicable to EPAs or Technical Qualifications within T Levels)

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

## 2. The 'Criteria for Recognition'

We assess applications for recognition against our [Criteria for Recognition](#), which are focussed on four main areas, listed below.

There is further information on the [Recognition application: guidance for the Criteria](#) page.

## 2.1 Identity, constitution and governance

We want to understand how your organisation is set up and run, including:

- evidence that you are resident, or have a substantial presence, in the UK, Gibraltar, a member state of the European Union or the European Free Trade Association
- that you have a clear understanding of and are able to identify and manage conflicts of interest (including relevant documented policies and processes)

## 2.2 Integrity

We are looking for evidence that your organisation and your senior staff are suitable to develop, deliver and award regulated qualifications.

## 2.3 Resources and financing

We are looking for evidence that you have the right systems, processes, resources and finance in place to develop, deliver and manage valid qualifications – including a business plan and 3 years of financial projections.

## 2.4 Competence

We need to be sure that you have the right level of competence to develop and deliver valid qualifications on an ongoing basis.

To be recognised, we must be satisfied that you meet all of the recognition criteria.

The requirements set out in the criteria will enable us to have sufficient confidence that your organisation has the capability and competence to offer the specified qualifications or descriptions of qualifications for which you are seeking to be recognised. By close reference to the criteria, you will need to demonstrate that your organisation has the appropriate systems and expertise to enable it to offer regulated qualifications effectively. When we meet you to discuss your application, we will explain the types of evidence we will need to see against each criterion.

## 3. The 'General Conditions of Recognition'

Our [General Conditions of Recognition](#) set out the main rules that we expect all awarding organisations to be capable of meeting, on an ongoing basis, once recognised. These conditions apply to all recognised awarding organisations and all regulated qualifications.

In addition, there are:

1. Conditions which apply to particular categories of qualification (such as GCSEs, or Apprenticeship EPAs), called [qualification level conditions](#).
2. Some criteria, such as the ESOL criteria, which we have incorporated into our [regulatory framework](#).
3. Conditions which apply to qualifications in a particular subject (such as GCSE (9 to 1) English Language). These are called [subject level conditions](#).

If you wish to offer qualifications where additional conditions apply, you will also need to demonstrate how you will meet these conditions.

There may also be special conditions, which are additional conditions placed on an individual awarding organisation. A special condition at recognition, for example, may require you to supply further information about your development process as you start to develop regulated qualifications.

## 4. New applications for recognition

The first step, if you're interested in seeking recognition, is to familiarise yourself with the information on our website referenced above.

If you think being a regulated awarding organisation is the right choice for you, you apply through our Recognition Gateway. You will need to set up an account to use this. Before doing this please read our [Privacy Statement](#).

Once you have set up an account, you will then be offered a meeting with Ofqual staff. This meeting should take place before starting your application. The meeting will help you understand our requirements and the application process. We will talk about:

- what it means to be an Ofqual-regulated awarding organisation so you are fully aware of our expectations
- the types of qualifications you intend to offer
- how you will ensure quality
- how you intend to operate as an awarding organisation once recognised

We will help ensure that you have all the information you need to be in a position to submit as comprehensive an application as you can.

Following the meeting, if you want to proceed with an application, we will provide you with access to the application form. We can continue to advise you to ensure you are providing sufficient supporting evidence.

It is important that you provide evidence which demonstrates how you meet each of the [Criteria for Recognition](#). The evidence needs to be clear and unambiguous, so it shows 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 (or plan to do) this monitoring. Please include clear referencing to, and labelling of, documents provided to support your application. And do ensure that the information you provide is complete. If your application is missing important information, we will be unable to progress it.

When you are ready to do so, you use the Gateway to submit your application and evidence. You will want to ensure that your organisation's governing body signs off your application.

Once you have submitted your application, a member of our recognition team will be assigned to your case and will manage your application from that point onwards.

## 5. The review process

Our recognition team will carry out an initial check of your application. If they identify significant areas of omission or insufficient clarity, they will contact you and identify the additional information or explanation that we need. Your application may be returned to you, so you can provide the information or explanations identified.

When we have sufficient information, we will review your application in full. The review will identify whether you meet the recognition criteria. In doing so we might seek input from Ofqual colleagues and experts and seek further clarification from you.

We will form a view on whether your understanding of and commitment to the development, delivery and award of qualifications is sufficient, having regard to the need to ensure you will operate in accordance with the [General Conditions of Recognition](#) and any additional regulatory requirements for the specified qualifications you are seeking to be recognised to offer.

We consider each application on its own merits including the information you provide and any that we gather through our due diligence checks. If there are clear points where your application has failed to meet the criteria, it will be returned to you together with an explanation of what the issues are. We will offer you the opportunity to attend a feedback meeting to ensure that you understand what is needed to address the issues and you can resubmit your updated application to us at any time.

If the review suggests that the criteria have been or could be met, the final stage of the process is a meeting with an Ofqual recognition panel where you will have the opportunity to discuss your application with us. The meeting will be chaired by a senior member of Ofqual's staff and attended by members of staff with expertise relevant to your application.

Prior to the panel meeting we will share a copy of our review of your application with you and let you know if there are any particular areas of your application that we wish to discuss with you.

Following the meeting, we will aim to write to you within 10 working days to confirm the panel's decision. The panel can decide to recognise you as an awarding organisation or reject your application.

If we have decided to recognise you as an awarding organisation, we:

- will tell you the date from which your recognition starts
- may impose on you an accreditation requirement (an additional check on a qualification before you offer it) or special conditions of recognition
- will invite you to an induction meeting where you'll meet your Standards Portfolio lead and other Ofqual staff to prepare you for your next steps as a regulated awarding organisation

If your application is rejected, you will be invited to a discussion to ensure that you understand why your application has been rejected and the next steps available to you (see section 7 below).

## 6. If you are already a regulated awarding organisation

If you wish to offer qualifications at different levels, in new sector subject areas, or qualifications which have specific conditions or criteria which are not within your current scope of recognition, you will need to [log into The Portal](#), where you can view your scope of recognition and request to amend your scope of recognition.

## 7. 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 at [ofquallegal@ofqual.gov.uk](mailto:ofquallegal@ofqual.gov.uk).

A review is not an opportunity to submit further evidence which you did not send us as part of the original application.

We will accept your request for an internal review in the following circumstances:

## 7.1 Application rejection

We may reject an application at an early stage of the process because insufficient documentation has been submitted. You are entitled to request a review of this assessment should you consider it to be incorrect. In requesting such a review, you must explain the reasons why you consider we made the wrong decision. We reserve the right to not review the matter in the event no reasons are provided.

## 7.2 A decision to reject an application post-evaluation or panel meeting

We may decide not to proceed to panel if our evaluation identifies significant issues with the application. Alternatively, the panel discussion might reveal issues with the application that prevents recognition. In either case, you are entitled to a request a review of our decision should you disagree with it. We will undertake a review on the following grounds:

1. We made our decision based on inaccurate facts which could have altered the outcome of our decision.
2. We overlooked or misunderstood parts of the application and representations which could have changed our decision.
3. We failed to follow our processes and such failure could have led to a different result.

In requesting a review, you will need to explain why you consider one of these grounds to be met. We reserve the right not to review the matter in the event you do not provide such explanation. 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.

## 8. Applying for recognition in Wales and Northern Ireland

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

Find out more at:

- [Qualifications Wales](#)
- [CCEA Regulation](#)

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