

SQA Accreditation Regulatory Principles (2021)

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SQA Accreditation

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About SQA Accreditation

SQA Accreditation is responsible for approving awarding bodies to deliver qualifications of social, economic, environmental or cultural benefit to Scotland. In addition, SQA Accreditation accredits and quality assures qualifications, and regulates approved awarding bodies, thereby safeguarding the interests of learners, employers, parents, funding bodies and government.

The work of SQA Accreditation is overseen by the Accreditation Committee (AC), which was established by the Education (Scotland) Act 1996¹. The AC is accountable to Scottish Ministers and ensures that there are appropriate governance mechanisms in place for SQA Accreditation's functions. The AC delegates responsibility for decision-making on all Accreditation and Regulation operational activity to the Accreditation Co-ordination Group (ACG).

SQA Accreditation's work is divided into two main areas: Accreditation and Regulation.

The Accreditation section has responsibility for:

- ◆ advising standard setting organisations in the development of National Occupational Standards and qualifications and supporting them through the qualification product approval process
- ◆ supporting and assisting awarding bodies through the accreditation process
- ◆ reviewing accreditation submissions
- ◆ working with awarding bodies and standard setting bodies to determine Scottish Credit and Qualifications Framework (SCQF) credit rating and supporting them through the credit rating approval process

The Regulation section has responsibility for:

- ◆ conducting awarding body audits and ensuring they remain compliant with the Regulatory Principles
- ◆ carrying out provider monitoring visits
- ◆ reviewing the Quality Enhancement Rating of awarding bodies
- ◆ supporting new organisations through the approval process
- ◆ reviewing awarding body self-assessment reports or action plans
- ◆ investigating complaints and compliance issues and cases of malpractice or maladministration

SQA Accreditation carries out its regulatory functions providing the Scottish Government, our Chief Executive and the Accreditation Committee with assurances of compliance and quality across the accredited provision. SQA Accreditation also ensures that its regulatory function is carried out economically, with efficient use of public funds and in line with the organisation's risk management and governance arrangements.

¹ https://www.legislation.gov.uk/ukpga/1996/43/pdfs/ukpga_19960043_en.pdf

In line with SQA Accreditation's Quality Assurance of Approved Awarding Bodies Policy², we take a risk-based approach to regulation and will use all resources, tools, and techniques available to help identify areas of greatest risk and concern. We have at our disposal tools such as:

- ◆ awarding body audits
- ◆ provider monitoring visits
- ◆ self-assessments
- ◆ accreditation submissions
- ◆ any other relevant information available to SQA Accreditation

This will help deliver compliance and quality assurance in a focused way, targeting issues where evidence indicates that there is a risk.

This approach assures that SQA Accreditation will deliver:

- ◆ effective regulatory compliance
- ◆ high standards of quality assurance
- ◆ promotion of continuous improvement
- ◆ the safeguarding of the interests of learners, employers, parents, funding bodies and government

Regulatory activity

Regulatory responsibilities

SQA Accreditation's Regulation section has responsibility for:

- ◆ approving awarding bodies
- ◆ conducting awarding body audits and provider monitoring visits to ensure that awarding bodies conform to the Regulatory Principles, Directives and Accreditation Licence
- ◆ reviewing and managing the Quality Enhancement Rating of awarding bodies
- ◆ reviewing and agreeing awarding body self-assessment reports
- ◆ reviewing and monitoring awarding body action plans
- ◆ investigating various types of complaints about awarding bodies, compliance issues and cases of malpractice or maladministration
- ◆ dealing with any extraordinary circumstances that involve approved awarding bodies outside of planned visit activities

² https://accreditation.sqa.org.uk/accreditation/accreditationfiles/Policies/20190326_Quality_Assurance_Policy_V7.pdf

How we quality assure

We ensure that our approved awarding bodies continue to remain compliant with our regulatory requirements by auditing them against our Regulatory Principles. We undertake these activities in two areas — at awarding body level and at provider level.

Awarding body audits

An approved awarding body will be audited in alignment with our Regulatory Framework. This sets out that approved awarding bodies will be audited, based on risk, and within a three-year cycle. This means that awarding bodies will be audited against the Regulatory Principles at least once every three years, depending upon their risk rating. An audit report is produced as a result of this audit activity and sets out any issues and recommendations. The issues are set out in an Action Plan and it is for the awarding body to determine what action to take to eliminate or mitigate the issues.

Provider monitoring visits

These are visits to providers that awarding bodies have approved to deliver the accredited qualifications. These visits are normally undertaken annually for each awarding body. They may look at specific qualifications, levels of risk, available resources and/or candidate activity. These provider monitoring visits seek to confirm that awarding bodies are managing their providers in alignment with their own policies and procedures and our Regulatory Principles.

The visit is not an audit of the provider but rather an audit of awarding body activities in relation to their quality assurance of the provider and its assessment arrangements. A provider monitoring report is produced for the awarding body, setting out any Issues and Recommendations. The issues are set out in an Action Plan, and it is for the awarding body to determine and remedy action against these to mitigate any non-compliance.

We endeavour to keep the identities of providers anonymous to ensure free flow of dialogue, but we reserve the right to disclose the identities of providers where there are serious issues and/or concerns about the integrity of the accredited qualifications.

Who are the SQA Accreditation Regulatory Principles for?

The SQA Accreditation's Regulatory Principles are intended for use by organisations seeking approval, approved awarding bodies and their providers and third party suppliers.

How the Regulatory Principles work

The Regulatory Principles have been designed to consider quality management systems within the context of qualification delivery and awarding body activities. They have also been

designed to encompass the five key principles of better regulation³ to ensure that we are transparent, accountable, proportionate, consistent and targeted in carrying out our regulatory duties.

There are 18 Regulatory Principles. Each one defines a standard that awarding bodies must meet to gain or maintain compliance with these principles.

There can be overlap between principles, and this is intended.

Each principle includes the word 'must', to show that the overarching principle must be demonstrated. However, we will not prescribe exactly how this could be achieved, or provide examples, as this will vary from organisation to organisation depending upon several factors including size and resources.

There is supplementary information accompanying each of the principles. This is provided to help organisations to meet the principle. You should understand the supplementary information and the Regulatory Principles holistically — that is as two parts of one entity.

Where we mention 'relevant legislation', this refers to legal requirements of the jurisdiction. It is for each awarding body to ensure that all legal requirements and responsibilities are being met.

The application of the Regulatory Principles, at both awarding body and provider level, is holistic. This means that the assigned auditor will take an all-encompassing view of activities undertaken by awarding bodies to determine their compliance with each of the principles.

In addition to the Regulatory Principles, awarding bodies must meet the requirements of the Regulatory Principles' Directives and the Accreditation Licence, which contain specific criteria that awarding bodies must adhere to when meeting the relevant Regulatory Principles. These can be found on our [website](#).⁴

³ <https://www.gov.scot/policies/supporting-business/business-regulation/>

⁴ <https://accreditation.sqa.org.uk/accreditation/Regulation>

The Regulatory Principles

Regulatory Principle	Supplementary information
<p>1. The awarding body must have an accountable officer and demonstrate that it has clearly defined and effective governance arrangements</p>	<p>The awarding body is responsible for defining the purpose, mission and values of the organisation.</p> <p>The awarding body is also responsible for:</p> <ul style="list-style-type: none"> ◆ how the organisation is structured ◆ nominating a suitable accountable officer ◆ defining staff roles, responsibilities and authority levels ◆ the use of contracted personnel ◆ identifying key committees and groups ◆ the managing conflicts of interest <p>The awarding body must co-operate in an open and transparent way and make SQA Accreditation aware of any information which should be disclosed.</p>
<p>2. The awarding body must demonstrate clearly defined business planning processes which show evidence of management commitment and decision making and ongoing review</p>	<p>The awarding body is responsible for setting business objectives that:</p> <ul style="list-style-type: none"> ◆ are defined, measurable, timebound and show evidence of consistent monitoring and review ◆ consider how accredited qualifications are suited to the needs of the Scottish education and training environment ◆ demonstrate robust processes to protect business interests, as well as the interests of providers and learners ◆ take risk into consideration ◆ demonstrate an overall approach to business, which can be evidenced through business plans that cover both strategy and operations ◆ demonstrate financial viability and business continuity

Regulatory Principle	Supplementary information
<p>3. The awarding body must have the necessary resources to effectively carry out their operational functions to meet regulatory requirements</p>	<p>People resources</p> <p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ effective leadership ◆ effective and appropriate staffing levels ◆ the maintenance of and upkeep of staff CPD (including checks at providers) ◆ managing third party contractors ◆ having robust recruitment practices <p>Other business resources</p> <p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ having sufficient finances to manage business operations ◆ having quality management systems, policies and procedures ◆ having robust technology and cyber security systems ◆ ensuring that the working environment is appropriate ◆ any other resources required to carry out business functions <p>The SQA Accreditation expects Awarding Bodies based in Scotland to commit to adopting the Fair Work First criteria⁵</p> <ul style="list-style-type: none"> ◆ appropriate channels for effective voice, such as trade union recognition ◆ investment in workforce development ◆ no inappropriate use of zero hours contracts ◆ action to tackle the gender pay gap and create a more diverse and inclusive workplace; and ◆ payment of the real Living Wage <p>Awarding Bodies based outside Scotland may wish to adopt similar good practice, by adopting Fair Work First criteria.</p>

⁵ <https://www.gov.scot/publications/fair-work-first-guidance-support-implementation/>

Regulatory Principle	Supplementary information
<p>4. The awarding body must demonstrate an effective approach to the identification and management of risk</p>	<p>The awarding body is responsible for demonstrating:</p> <ul style="list-style-type: none"> ◆ how business risk is identified, managed and mitigated ◆ business resilience, and how operations would continue if an incident impacting the operating environment were to occur ◆ the management and recording of reportable incidents ◆ how incidents and lessons learned are reviewed ◆ contingency planning in the event of unexpected circumstances ◆ succession planning and how to ensure core staff and associated skills are retained and/or replaced <p>Where an awarding body becomes aware of any situation or incident that could negatively impact its accredited provision, including seeking to amend or withdraw qualifications, it must ensure that it puts in place a strategy which protects the interests of any learners and providers, and communicate its intentions to SQA Accreditation at the earliest opportunity.</p>
<p>5. The awarding body and its providers must provide clear information on their procedures, products and services and ensure that they are accurate and appropriate to accredited qualifications</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ having procedures, products and services that are easy to understand and which ensure that providers are aware of what is expected of them in terms of resources and requirements ◆ having policies, processes, systems, fees, guidance and publications that make appropriate reference to accredited qualifications and SQA Accreditation which providers will be able to understand ◆ providing accurate information about accredited qualifications ◆ ensuring that providers convey accurate information about accredited qualifications
<p>6. The awarding body must continually review the effectiveness of its services, systems, policies and processes</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ having systems in place which facilitate continual improvement ◆ undertaking regular, ongoing review and evaluation of its key business activities ◆ undertaking regular review of performance against internal performance indicators carried out by members of staff with the appropriate level of authority <p>The findings from ongoing review must result in an annual self-assessment of the awarding body's operations in relation to SQA Accreditation's regulatory requirements.</p>

Regulatory Principle	Supplementary information
<p>7. The awarding body must have an effective approach for communicating with its staff, stakeholders and SQA Accreditation</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ having a clear and effective arrangements for communicating with staff, providers, learners, external stakeholders and SQA Accreditation ◆ understanding the role of SQA Accreditation ◆ demonstrating how it raises awareness of SQA Accreditation and promotes its accredited qualifications
<p>8. The awarding body must ensure that SQA Accreditation is granted access to all information relating to accredited qualifications</p>	<p>The awarding body is responsible for ensuring that SQA Accreditation has access to:</p> <ul style="list-style-type: none"> ◆ awarding body premises and staff ◆ providers' and assessment locations ◆ all documents, records and data ◆ learners, where required ◆ third parties and service providers, where applicable ◆ online systems, where relevant
<p>9. The awarding body and its providers must maintain accurate documents, records and data</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ demonstrating that it and its providers have systems in place to ensure the currency and accuracy of information ◆ specifying the type of records and data that it and its providers hold, and their associated retention periods ◆ ensuring that only the most up-to-date versions of applicable documents are available at the point of use ◆ having robust arrangements and agreements in place with third parties and service providers where applicable ◆ ensuring the accuracy and currency of information shared with SQA Accreditation ◆ complying with data protection legislation

Regulatory Principle	Supplementary information
<p>10. The awarding body must ensure that its systems and processes for the identification, design, development, implementation and review of qualifications and assessments are fit for purpose</p>	<p>The awarding body is responsible for demonstrating:</p> <ul style="list-style-type: none"> ◆ the need or demand for a qualification ◆ the methodology by which the qualification is assessed ◆ how the qualification is quality assured ◆ how consistently the assessment performs over time <p>In addition to the above, and more specifically, where the awarding body has designed its own qualifications and assessments, the awarding body is responsible for demonstrating:</p> <ul style="list-style-type: none"> ◆ who the qualification or assessment is designed for ◆ the intended purpose and use of the qualification ◆ what the assessment needs to measure ◆ how the assessment will be measured ◆ how well the assessment measures what it is intended to measure ◆ evidence of the assessment's validity, reliability and comparability ◆ that the assessment does not measure unintended attributes ◆ that the assessment is inclusive, free from bias and discrimination ◆ the expertise of staff involved in qualification and assessment design <p>Where an awarding body submits its qualifications for SCQF credit rating approval, it must demonstrate that it has followed SQA Accreditation's SCQF credit rating methodology and approval process. The awarding body must have a process detailing its role in organising, managing and submitting its proposed SCQF credit rating recommendations to SQA Accreditation.</p>

Regulatory Principle	Supplementary information
<p>11. The awarding body must ensure that its qualifications portfolio is effectively managed, maintained and reviewed</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ demonstrating how it monitors, maintains and reviews existing qualifications ◆ demonstrating how it effectively manages accreditation of qualifications and any subsequent extensions, amendments and withdrawals ◆ ensuring there are timely submissions to SQA Accreditation providing evidence of support and demand ◆ seeking regular feedback from stakeholders, including providers and learners, to ensure that the content of qualifications remain current ◆ ensuring that the assessment methodology remains appropriate over time ◆ proactively engaging with industry sectors to ensure currency of qualifications ◆ monitoring the uptake of its qualifications in line with SQA policies

Regulatory Principle	Supplementary information
<p>12. The awarding body and its providers must ensure that they have the necessary arrangements and resources required to manage and administer qualification delivery and assessment</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ the currency of centre agreements and how these are embedded within the organisation and complied with ◆ use of remote systems and online platforms that support delivery and assessment, including third party systems ◆ the locations of assessments and how effectively both delivery and assessment are managed across locations ◆ resources (including the roles, responsibilities and requirements of the staff involved in administration, delivery and assessment) ◆ the type, amount and standard of assessment evidence to be produced ◆ how assessment strategies and methodologies will be implemented, managed and reviewed over time ◆ setting and reviewing assessment items/examinations ◆ how effectively and consistently standards/assessments perform over time ◆ arrangements for providers to deal with recognition of prior learning and achievement (if applicable) ◆ aspects of delivery devolved to providers, such as reasonable adjustments, special considerations and direct claims status (if applicable) <p>In addition to the above, and specifically in relation to examinations:</p> <ul style="list-style-type: none"> ◆ management of and conduct at examinations ◆ security and transport of examination materials

Regulatory Principle	Supplementary information
<p>13. The awarding body and its providers must ensure that they have systems and processes which ensure the effective quality assurance of accredited qualifications</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ demonstrating how the requirements of assessment strategies or methodologies are being met and reviewed over time ◆ management of provider risk ◆ the frequency and type of internal and external quality assurance activity ◆ monitoring and reviewing any conditions of assessment ◆ reviewing the use of systems and online platforms that support delivery, assessment and quality assurance ◆ resources (including the roles, responsibilities and requirements of the staff involved in quality assurance activities and also any technical or physical resources required) ◆ qualifications/competence/CPD requirements of staff involved in quality assurance activities ◆ where intervention or sanctions are required, how they are managed between both parties ◆ monitoring and reviewing aspects devolved to providers, such as reasonable adjustments, special considerations and direct claims status (if applicable) ◆ how any conflicts of interest with quality assurance staff are managed
<p>14. The awarding body and its providers must ensure that its qualifications and their delivery and assessment are fair, inclusive and accessible to learners</p>	<p>The awarding body and its providers must comply with relevant equalities legislation. In so doing, the awarding body and its providers are responsible for demonstrating:</p> <ul style="list-style-type: none"> ◆ how equality and diversity policies comply with relevant legislation ◆ that there are clear processes for reasonable adjustments and special considerations ◆ arrangements for providers to manage recognition of prior learning and achievement (if applicable) ◆ that they can define any barriers, requirements or conditions which could affect qualifications or their delivery ◆ that they act in a way that safeguards the interests of vulnerable groups

Regulatory Principle	Supplementary information
<p>15. The awarding body must have effective, reliable and secure systems for the registration and certification of learners</p>	<p>The awarding body is responsible for:</p> <ul style="list-style-type: none"> ◆ ensuring that registration and certification systems allow for candidates to be clearly and uniquely identified and contactable in the event of any queries ◆ ensuring that registration and certification systems allow for accredited qualifications to be clearly and uniquely identified ◆ maintaining systems which hold secure information on candidate progress and achievement in a way that complies with relevant legislation ◆ ensuring that qualification and unit certificates (including replacements) comply with the Regulatory Principle Directive for logo and certificate requirements ◆ ensuring that qualification and unit certificates (including replacements) comply with the Regulatory Principle Directive for titling conventions ◆ having published timescales for issuing certificates ◆ ensuring replacement certificates are identifiable as replacements ◆ having a process in place to be able to contact learners to recall certificates where required ◆ having a process for both checking and issuing unit certification <p>The awarding body must seek approval from SQA Accreditation before processing late certification or certification of expired qualifications. In this respect the awarding body must follow the relevant Regulatory Principle Guidance Notes. These can be found on our website.⁶</p>
<p>16. The awarding body and its providers must have open and transparent systems, policies and procedures to manage complaints</p>	<p>The awarding body and its providers are responsible for demonstrating effective handling of complaints, in line with published procedures and timescales, and without unreasonable delay.</p> <p>Awarding body staff, providers and learners must be made aware of how and when they can complain to SQA Accreditation and, where appropriate, the Scottish Public Services Ombudsman (SPSO).</p> <p>Where a complaint is upheld, the awarding body and/or provider should take appropriate, corrective and/or preventative action.</p>

⁶ https://accreditation.sqa.org.uk/accreditation/Regulation/Regulatory_Principles_Guidance_Notes

Regulatory Principle	Supplementary information
<p>17. The awarding body and its providers must have clear, fair and equitable systems, policies and procedures to manage appeals</p>	<p>The awarding body and its providers are responsible for demonstrating clearly-defined processes to handle appeals against decisions.</p> <p>Consideration should be given to:</p> <ul style="list-style-type: none"> ◆ how, when, and under what circumstances, an appeal can be made ◆ who can appeal ◆ timescales for appeals ◆ independent review <p>Where a referral is made to SQA Accreditation, we may undertake activities to assess the effectiveness of the awarding body's and/or the provider's appeals process to ensure they are in line with our regulatory requirements.</p> <p>Where SQA Accreditation raises any concerns, the awarding body and/or provider should take appropriate, corrective and/or preventative action.</p> <p>The awarding body and its providers should ensure that their documentation is clear that SQA Accreditation is unable to overturn assessment decisions or academic judgements.</p>
<p>18. The awarding body and its providers must ensure that it has safeguards to prevent and manage cases of malpractice and maladministration</p>	<p>The awarding body and its providers are responsible for demonstrating clearly-defined processes to deal with malpractice and maladministration.</p> <p>The awarding body must inform SQA Accreditation when any actual or suspected cases of malpractice and/or maladministration are identified.</p> <p>Where a case of malpractice and/or maladministration is identified, the awarding body and/or provider should take appropriate corrective and/or preventative action.</p>

A centralised [SQA Accreditation Glossary: Terms and Definitions](#)⁷ can be found on our website.

⁷ https://accreditation.sqa.org.uk/accreditation/About_Us/Glossary_Terms_and_Definitions