

SQA Accreditation Regulatory Principles (2020)

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SQA Accreditation

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About SQA Accreditation

SQA Accreditation independently 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 with regards to 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).

Our 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 activity
- Reviewing the Quality Enhancement Rating of awarding bodies
- Supporting new awarding bodies 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, the 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.

In line with SQA Accreditation's Quality Assurance 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

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

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

- provider monitoring
- self-assessments
- risk assessments
- regular meetings
- 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:

- approval of 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
- managing 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

How we quality assure

We ensure that our approved awarding bodies continue to remain compliant with our regulatory requirements by auditing against our Regulatory Principles. We undertake these activities over two tiers, 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 on the basis of 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 setting 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, subject or levels of risk, available resources and candidate activity and seek to ensure 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 as a result of this provider activity 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 in order to ensure free flow of dialogue, however 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 awarding bodies seeking approval as well as existing approved awarding bodies to ensure ongoing compliance. The Regulatory Principles, in certain cases, can also apply to awarding body providers delivering SQA Accreditation qualifications.

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 regulation to ensure that we are transparent, accountable, proportionate, consistent and targeted in carrying out our regulatory duties.

There are 19 Regulatory Principles, each one defines a standard which is required to be met by awarding bodies to gain or maintain compliance.

There is guidance accompanying each of the principles in order to assist organisations in meeting the principle.

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 in order to determine compliance with each of the principles.

Where appropriate awarding bodies must meet the requirements of the Regulatory Principles' Directives which contain specific criteria that awarding bodies must adhere to when meeting the relevant Regulatory Principles. These can be found on the SQA Accreditation website.

The Regulatory Principles

Business Activities

Regulatory Principle	Supplementary Information
<p>1. The awarding body must demonstrate that it has clearly defined and effective governance arrangements.</p>	<p>Consideration should be given to the purpose, mission and values of the organisation and:</p> <ul style="list-style-type: none"> • organisational structure • allocation of designated accountable officer • key staff including the use of consultants • defined roles, responsibilities and authority levels • key committees and groups • management of conflict of interest <p>The awarding body must nominate an Accountable Officer and deal with SQA Accreditation in an open and co-operative way and disclose anything which SQA Accreditation would reasonably expect to be made aware of.</p> <p>The awarding body should inform SQA Accreditation in the case of any change of control which is integral to the status of the business.</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>Consideration should be given to setting business objectives that:</p> <ul style="list-style-type: none"> • are defined • are measurable • consider SQA qualifications and Scotland • cover finance • consider business continuity • show evidence of consistent monitoring and review <p>The awarding body should demonstrate that it employs robust processes to protect its own business interests, as well as the interests of its providers and learners and have systems in place to manage risk.</p> <p>The awarding body should be able to demonstrate its overall approach to business, which can be evidenced through business plans that cover both strategy and operations.</p>

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>Consideration should be given to:</p> <ul style="list-style-type: none"> • leadership and staff expertise • human resources <ul style="list-style-type: none"> ○ staff CPD records are maintained (including at providers) ○ there are an effective number of staff to deliver services • contractual and third-party arrangements <ul style="list-style-type: none"> ○ for example, where the organisation is using a consultant to support the management of the organisation’s activities, additional checks should be in place to ensure the consultant’s suitability <p>Managers and directors responsible for processes and staff should be able to demonstrate relevant sector knowledge and an overarching understanding of awarding body procedures.</p> <p>Other Business Resources</p> <p>Consideration should be given to:</p> <ul style="list-style-type: none"> • financial resources <ul style="list-style-type: none"> ○ funds sufficient to sustain the business • quality management systems, policies and procedures • use of technology and associated cyber security • and other physical resources such as appropriate office space <p>The awarding body should be able to demonstrate that it conducts its operations ethically and takes account of all relevant legislation.</p>
<p>4. The awarding body must demonstrate an effective approach to the identification and management of risk.</p>	<p>Consideration should be given to:</p> <ul style="list-style-type: none"> • business resilience and how the business would continue if a major incident impacting the business were to occur • ramifications and how these are recorded and managed • staff contingencies in the event of planned/unplanned absence • succession planning and how to ensure core staff and associated skills are retained and/or replaced • review of incidents and lessons learned <p>The awarding body should take appropriate measures to identify business risk and where appropriate take preventative and/or corrective action.</p> <p>Examples of risks which could be considered:</p> <ul style="list-style-type: none"> • competitive, compliance, country, financial, legal, operational, quality, reputational, sector, staff liability

Regulatory Principle	Supplementary Information
<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 SQA accredited qualifications.</p>	<p>The awarding body should be able to demonstrate that its procedures, products and services are clear and that providers are aware of what is expected of them in terms of resources and requirements.</p> <p>The awarding body and its providers must demonstrate that its policies, processes, systems, fees, guidance and publications make appropriate reference to SQA accredited qualifications and SQA Accreditation.</p> <p>The awarding body should be able to demonstrate how it effectively promotes SQA accredited qualifications.</p>
<p>6. The awarding body must continually review the effectiveness of its services, systems, policies and processes.</p>	<p>The awarding body should be able demonstrate it has systems in place which facilitate continual improvement and show evidence of regular ongoing review and evaluation of its key business activities.</p> <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> <p>Review of performance against internal performance indicators should happen on a regular basis and be undertaken by appropriate members of staff.</p>
<p>7. The awarding body must have effective arrangements for communicating with its staff, stakeholders and SQA Accreditation.</p>	<p>There should be a clear approach to business which is acted upon and communicated to all stakeholders.</p> <p>The awarding body should have an understanding of the role of SQA Accreditation and its role as the regulator.</p> <p>The awarding body should also be able to demonstrate how it promotes SQA accredited qualifications and the role of SQA Accreditation.</p>
<p>8. The awarding body and its providers must ensure that SQA Accreditation is granted access to all information required.</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, assessment locations and learners where appropriate • third parties and service providers where applicable • all documents, records and data <p>The awarding body must also make all providers, delivering accredited qualifications, aware of SQA Accreditation's right of access.</p>

Regulatory Principle	Supplementary Information
<p>9. The awarding body and its providers must maintain accurate documents, records and data including staff occupational records.</p>	<p>The awarding body should be able to:</p> <ul style="list-style-type: none"> • demonstrate it has systems in place for the version control of documents • specify the type of records and data it holds and their associated retention periods including records which must be held by providers • ensure that the most up-to-date versions of applicable documents are available at the point of use • ensure the accuracy and currency of information shared with SQA Accreditation <p>The awarding body should be able to demonstrate that it conducts its operations taking account of all relevant legislation.</p>

Awarding Body Activities

Regulatory Principle	Guidance
<p>10. The awarding body must ensure that its qualifications portfolio is effectively managed, maintained and reviewed.</p>	<p>The awarding body should seek regular feedback from providers to ensure that the content of qualifications remain current and that any assessment strategy and methodology remains appropriate over time.</p> <p>The awarding body should be able to demonstrate how they effectively manage the ongoing accreditation, extension, amendment and withdrawal of their qualifications.</p> <p>The awarding body should be able to demonstrate that they monitor the maintenance and review of existing qualifications and ensure timely submissions to SQA Accreditation evidencing support for their ongoing value and use.</p> <p>The awarding body should also be able to demonstrate understanding of how credit is allocated to units within their qualifications.</p> <p>The awarding body should monitor the uptake of their qualifications being mindful of SQA Accreditation's requirements for zero uptake.</p> <p>Where the awarding body seeks to withdraw accreditation, it should ensure that it puts in place a plan which protects the interests of learners and providers and communicates its intentions with SQA Accreditation at the earliest opportunity.</p>

Regulatory Principle	Guidance
<p>11. The awarding body must ensure that its systems and processes for the identification, design, development and implementation of qualifications and assessments meet the needs of users.</p>	<p>The awarding body should be able to establish:</p> <ul style="list-style-type: none"> • the need/demand for a qualification • who is to design the qualifications and assessments • who the qualification or assessment is designed for • the intended purpose and uses of the qualification and its assessment • how they ascertain the allocation of credit to units • what attributes the assessment needs to measure • how the attributes of an assessment will be measured • that the assessment is inclusive, equitable and free from bias and discrimination • how the qualification is rolled out and managed • plans to analyse how well the qualification and its assessment performs over time • justification for the strategy and methodology by which the qualification is assessed • how the qualification is internally and externally quality assured and who by (if applicable) <p>Where the awarding body designs and develops its own qualifications and/or assessments, it should be able to demonstrate how the evidence and that they collect and use show validity and reliability.</p>
<p>12. The awarding body and its providers must ensure that they have the necessary arrangements and resources required to manage and administer functions which are key to qualification delivery and assessment.</p>	<p>The awarding body should be able to manage and administer systems which support qualification delivery and assessment.</p> <p>The awarding body should consider the following:</p> <ul style="list-style-type: none"> • use of systems and online platforms which support delivery and assessment including third party systems • the locations of assessments and how well both delivery and assessment are managed across locations • roles and responsibilities of key personnel • 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 review of assessment items/examinations • how well and consistently standards/assessments perform over time • awarding body arrangements for providers to deal with recognition of prior learning and achievement (if applicable) • management of and conduct at examinations • security and transit of examination materials • aspects of delivery devolved to providers such as reasonable adjustments, special considerations and direct claims status

Regulatory Principle	Guidance
<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 and its providers should consider the following:</p> <ul style="list-style-type: none"> • how they meet the requirements of the assessment strategy and methodology • the strategy and management of risk at provider level • frequency of internal and external quality assurance activity (where applicable) • conditions of assessment • how the assessment strategy and methodology will be implemented, managed and reviewed over time • use of systems and online platforms which support delivery and assessment • resources (including the roles, responsibilities and requirements of the personnel involved in quality assurance activities and also any technical or physical resources required) • evidence requirements • qualifications/competence/CPD requirements of staff involved in quality assurance activities • where intervention or sanctions are required and how they are managed • any conflicts of interest with quality assurance staff
<p>14. The awarding body and its providers must ensure that its qualifications and their 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 providers should be able to:</p> <ul style="list-style-type: none"> • demonstrate how their equality and diversity policies comply with relevant legislation • demonstrate that there are clear processes for reasonable adjustments and special considerations • where appropriate demonstrate that there are processes to recognise prior learning and achievement • define any barriers, requirements or conditions which could affect qualifications or their delivery • act in a way that safeguards the interests of groups that could be vulnerable to discrimination

Regulatory Principle	Guidance
<p>15. The awarding body must have effective, reliable and secure systems for the registration of learners.</p>	<p>The awarding body must ensure that registration systems allow for learners to be clearly and uniquely identified and contactable in the event of any queries or changes to qualification requirements.</p> <p>The awarding body must maintain systems which hold secure information on learner achievement and progress that comply with relevant legislation.</p> <p>Retention of learner data should be held for no longer than is necessary and as such the awarding body must consider whether the learner will achieve and move to certification within the qualification accreditation period.</p> <p>Registration systems should allow for SQA accredited qualifications to be clearly and uniquely identified.</p> <p>In the case of SVQs only the awarding body must comply with the relevant Regulatory Principle Directives.</p>
<p>16. The awarding body and its providers must have effective, reliable and secure systems for the certification of learners.</p>	<p>The awarding body must ensure that qualification and unit certificates (including replacements) comply with Regulatory Principle Directive for logo and certificate requirements.</p> <p>The awarding body must seek approval from SQA Accreditation prior to processing late certificates or certificate claims for expired qualifications and in this respect the awarding body must follow the relevant Regulatory Principle Guidance Notes.</p> <p>Where a replacement certificate is issued this should be made clear on the copy. There must also be a process in place to be able to contact learners to recall certificates if this is required.</p> <p>Certification systems should allow for SQA accredited qualifications to be clearly and uniquely identified.</p> <p>In the case of SVQs only the awarding body must comply with the relevant Regulatory Principle Directives.</p>
<p>17. 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 should be able to deal with complaints on an equitable basis, in line with its published procedures and timescales, and without unreasonable delay.</p> <p>Awarding body personnel, 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, preventative and/or corrective action.</p>

Regulatory Principle	Guidance
<p>18. 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 should have clearly defined processes to deal with appeals for services that it offers.</p> <p>Consideration should be given to:</p> <ul style="list-style-type: none"> • how, when and the circumstances under which an appeal can be made • 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 and/or the provider's appeals process to ensure they are in line with regulatory requirements.</p> <p>Where SQA Accreditation raises any concerns the Awarding Body and/or provider should take appropriate, preventative and/or corrective action to prevent re-occurrence.</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>19. 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 must have clearly defined processes to deal with malpractice and maladministration.</p> <p>The awarding body must inform SQA Accreditation when any cases, or suspected cases, of malpractice and/or maladministration are discovered.</p> <p>The awarding body and its providers should develop and implement corrective action plans to prevent further occurrence.</p>

SQA Accreditation Glossary

Accountable officer

The responsible individual nominated by the awarding body to deal with SQA Accreditation.

Analysis

The examination of facts and data to provide a basis for effective decisions and actions.

Assessment methodology

The approach to assessment of a qualification e.g. observation, oral questioning, examination or a combination of such methods.

Assessment principles

Requirements and recommendations specified by a standard setting body/regulatory body/awarding body in relation to the assessment and quality assurance of units and qualifications.

Assessment strategy

Requirements and recommendations specified by a Sector Skills Council (SSC) in relation to the assessment and external quality control of one or more SVQs. Specific to, and mandatory for, SVQs but may also be used with other types of qualifications.

Awarding body

A body issuing qualifications (certificates, diplomas or titles) formally recognises the learning outcomes (knowledge, skills and/or competences) of an individual, following an assessment and validation procedure.

Conflict of interest

A situation in which an individual, or organisation, has competing interests or loyalties.

Consistency

The quality, state or fact of being consistent in the application of the Regulatory Principles.

Continual improvement

An ongoing process through which an awarding body increases its effectiveness and/or efficiency to fulfil its policies and objectives.

Critical success factors

Outcomes that an organisation needs to achieve in order to attain its overall aims purpose or mission. They usually relate to all aspects of the business such as financial, employees, customers etc. and have performance indicators that can be monitored supporting their achievement.

Conflict of interest

A situation in which the concerns or aims of two different parties are incompatible and/or a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

Consultant

A professional hired externally whose expertise is usually provided for a fee and on a temporary basis.

CPD

Continuing Professional Development

Direct claim status

The process whereby providers are able to claim certification without External Quality Assurer (EQA) activity.

Effective

Determining effectiveness requires the evaluation of how well a need is met by the approach taken.

Expired qualifications

Qualifications which have gone beyond their certification end date (finish date).

Guidance

Help and advice on how to achieve an outcome.

Key performance indicator

A key performance indicator is a measurable value that demonstrates how effectively an organisation is achieving key business objectives. Organisations use key performance indicators at multiple levels to evaluate success at meeting targets.

Learner

Candidate, student, individual undertaking a SQA accredited qualification.

Maladministration

Any actions, neglect, default or other practice that compromises the accreditation or quality assurance process including the integrity of accredited qualifications, the validity of any certificates, or the reputation and credibility of SQA Accreditation

Malpractice

Any deliberate actions, neglect, default or other practice that compromises the accreditation or quality assurance process including the integrity of accredited qualifications, the validity of any certificates, or the reputation and credibility of SQA Accreditation

Management system

The framework of processes, process management, performance indicators and improvement systems that an organisation uses to meet its mission.

Mission

Defines the purpose of the organisation.

Must

An obligation to act or conform in a particular way.

Partnership

A 'partnership' is where two or more organisations work together to fulfil SQA Accreditation's regulatory requirements. In doing so, those bodies involved in the partnership carry out awarding body functions and must have significant, clearly defined roles and responsibilities.

Procedure

A series of detailed instructions to accomplish an end goal.

Process

A process by which inputs become outputs.

Provider

Organisation(s) or individual(s) responsible for delivery and/or assessment of SQA accredited qualification(s). A provider may constitute a centre, tutor, examiner or assessment location.

Reasonable adjustments

Organisation(s) or individual(s) responsible for delivery and/or assessment of SQA accredited qualification(s). A provider may constitute a centre, tutor, examiner or assessment location.

Recognition of prior learning

Describes a process used for the purpose of recognising competence against a given set of standards, competencies, or learning outcomes.[]

Relevant legislation

Any law, legislation or standards which has an impact on the awarding body's operating environment.

Regulatory Principle Directives

Specific published criteria that awarding bodies must adhere to.

Regulatory requirements

Regulatory Principles, Regulatory Principles Directives and the clauses within legal arrangements with SQA Accreditation.

Regulatory Principles

What we quality assure against.

Reliability

The extent to which the outcomes of an assessment or test are consistent, dependable and replicable over time.

Self-assessment

A method used by approved awarding bodies to assess their own ability to meet the requirements of the regulatory principles.

Should

A desirable or expected state.

Special considerations

A post assessment adjustment to a learner's mark or grade to reflect temporary illness, temporary injury or any other indisposition at the time of assessment.

Stakeholder

A person or organisation with a vested interest in the outcome of the business activities.

Strategy

A high level plan outlining the methods by which an organisation intends to achieve its mission and vision.

Subcontractor

A subcontractor can be a self-employed individual (sole trader) responsible for delivering a contract on behalf of the business; a limited company (including companies with only a sole director and no employees) responsible for delivering a contract on behalf of the business or any other type of business that is contracted to provide service delivery on behalf of the organisation.

System

The framework of processes, process management, performance indicators and improvement systems that an organisation uses to achieve its goals.

Third parties and service providers

Any person(s) or organisation(s) that has arrangements or agreements in place which contribute to awarding body activities.

Validity

The degree to which an assessment/test measures the attributes, competences or performances it is intended to measure.

Vision

Description of what the organisation is trying to achieve in the long-term future.

Version Control

This allows SQA Accreditation to maintain a record of who performed each review and the changes that were made.

Version	Date	Author	Amendment details
3	28/01/2020	Senior Regulation Manager	Third version provided to AC for approval
4	28/01/2020	Senior Regulation Manager	Fourth version updated with AC comments and draft approved