

2 December 2016

Our Ref: RO52/2016

Dear Responsible Officer

Links to Qualification Specifications

You will recall that we asked all awarding organisations to include links to their qualification specifications on the Portal as part of the transition from RITS. We asked this because we think that that Users¹ need to be able to access specifications in order to make informed choices and judgements about regulated qualifications. It is the same rationale for our requirement for awarding organisations to publish qualification specifications

We have recently completed checks on the availability of these qualification links on the Portal and it is disappointing to note rather slow progress. To date, less than one third of qualifications on the Portal currently have links to specifications; there is clearly still much to do to meet the completions deadline of 31 March 2017.

I also want to raise with you to an issue we have identified in relation to accessibility of specifications. We have found that some awarding organisations currently restrict access to their qualification specifications (for example by placing them in areas of their website that require user accounts to access, or which can only be viewed by certain qualification users). Restricting access to specifications in these (or other) ways raises a number of regulatory issues.

General Condition E3.1 requires awarding organisations to publish a specification for each regulated qualification they offer. General Condition J1.7 sets out further requirements that apply whenever the Conditions require awarding organisations to publish documents or information. Together, these requirements mean that qualification specifications must be published in a way which is:

- (a) clear to its intended audience
- (b) accurate, and
- (c) reasonably accessible (including by way of publication, if available, on the awarding organisation's website).

¹ The term 'Users' is defined in General Condition J1.8 as: "Persons who have a legitimate interest in the qualification or type of qualification made available by the awarding organisation"

(d) The July 2016 edition of *Guidance to the General Conditions of Recognition*² also includes new guidance to General Condition E3. One of the positive indicators of compliance, set out in the guidance, is that the awarding organisation's specifications are readily available to Users, for example through the awarding organisation's website, and provide clear contact information where queries about the specification can be raised.

Our view is that the practice of limiting access to specifications (by using access-restricted areas of a website or other means) does not meet the requirement in the General Conditions to "publish a specification" in a way which is "reasonably accessible". It is also inconsistent with the expectation in our guidance that specifications should be "readily available to Users".

We recognise that there are a number of legitimate reasons to restrict access to certain information about qualifications (for example because it is subject to intellectual property restrictions). But, we would remind all awarding organisations that specifications need only contain the information required by General Condition E3. Where awarding organisations choose to include additional information in their specifications, that cannot be used as justification for withholding the specification entirely.

We look forward to the completion of the Portal qualification links by March 2017, after which we intend to carry out monitoring work on accessibility. Clearly, we would hope that the issues identified above have been resolved; we would need to take appropriate action to secure compliance if this is not the case.

If you have any questions on the contents of this letter, please get in touch through 'Contact Ofqual' on the Portal.

Yours sincerely



Phil Beach

Interim Executive Director, Vocational Qualifications

² www.gov.uk/government/publications/guidance-to-the-general-conditions-of-recognition