

Terms and conditions of application and approval of Higher Technical Qualifications by IfATE

Institute for Apprenticeships and Technical Education

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SECTION 1 - INTRODUCTION

- 1.1. The Institute for Apprenticeships and Technical Education (IfATE) is responsible for approving Higher Technical Qualifications (HTQs). These terms and conditions are between IfATE and an organisation ('Applicant') submitting a level 4 or 5 qualification to be approved by IfATE as an HTQ.
- 1.2. This document sets out IfATE's terms and conditions for approval of HTQs which comprise the following:
 - a. Section 1 – Introduction,
 - b. Section 2 – Conditions of application and approval which must be met and accepted by an applicant at the point of application,
 - c. Section 3 – Details on the use of the quality mark, and
 - d. Section 4 – Reviews of approval status, and changes to qualifications and occupational standards.

Terms and Conditions

- 1.3. IfATE wants the applicant to understand these Terms and Conditions from the outset and has therefore incorporated them into the online HTQ approval application process. Applicants seeking HTQ approval will be required to agree to these Terms and Conditions when submitting their application.
- 1.4. These Terms and Conditions will not prevent IfATE from exercising any of its statutory functions.
- 1.5. IfATE reserves the right to amend these Terms and Conditions at any time by publishing such amendments on its website.
- 1.6. The HTQ quality mark and the word mark 'Higher Technical Qualification' is a registered trademark of IfATE^[1] ; any misuse of the trademark could lead to action for trademark infringement.

^[1]<https://trademarks.ipso.gov.uk/ipo-tmcase/page/Results/1/UK00003706861>

SECTION 2 – CONDITIONS OF APPLICATION AND APPROVAL

- 2.1. Applicants submitting a qualification for HTQ approval must adhere to the following conditions of application and approval, and are bound by the same from the point of application. Applicants are responsible for ensuring that they comply with the conditions of application and approval (where the qualification is approved) at all times.
- 2.2. Applicants will submit one application per qualification (including where the qualification maps to one or more occupational standards).
- 2.3. Applicants confirm that their HTQ(s) will not share the same title as any non-HTQ course that we or any of our delivery partners offer.
- 2.4. Applicants confirm that they will not include the words 'Higher Technical Qualification' or 'HTQ' within any title for a qualification, prior to or after approval. Approved qualifications should be marketed as HTQs following the conditions set out in the HTQ quality mark terms of use document.
- 2.5. Applicants confirm that where their submitted qualification(s) align to occupations that have a statutory regulator with whom individuals must be registered in order to practice in the occupation, their qualification(s) are already recognised by the relevant statutory regulator.
- 2.6. Applicants understand that any additional content, that is to say, content that does not map to knowledge, skills and behaviours within the occupational standard contained within the qualification must be, relevant to the occupation(s) and valuable to employers.
- 2.7. Applicants confirm that any additional content is only included to the extent permitted as set out in IfATE's published approvals criteria for cycle 5
- 2.8. Applicants confirm that they own all of the intellectual property (including the copyright) in the documents submitted as part of the HTQ approval process, or, where a third party owns all or any intellectual property in any of the documents, the applicant confirms that they have obtained the necessary licenses, permissions or consents from that third party to enable them to use and submit the documents in support of their application for HTQ approval, as well as for delivery of the HTQ should it be approved.
- 2.9. Where the HTQ is delivered by the applicant but is validated by a degree-awarding partner (a 'validated course'), the applicant must confirm that they have obtained the prior written consent from the degree awarding partner before seeking HTQ Approval from IfATE.

- 2.10. The applicant acknowledges that HTQ approval is subject to meeting IfATE's approvals criteria and that IfATE will make a determination as to whether the qualification is approved, in accordance with IfATE's published approvals criteria for cycle 5.
- 2.11. IfATE reserves the right to amend HTQ approvals criteria at any time by publishing such amendments on its website.
- 2.12. Applicants will have the opportunity to reconsider their application at any point during the approvals process and are free to withdraw should they wish to.
- 2.13. Applicants acknowledge that approval will subsist for an indefinite period. However, the applicant accepts that IfATE may withdraw approval at any time, including if it considers that the approval criteria are no longer met (including any revised criteria which post-dates approval), or the applicant no longer meets the regulatory requirements for approval. Approval may be withdrawn if IfATE considers the applicant has failed to adhere to any of these Terms and Conditions. If IfATE is considering withdrawal of approval in any circumstances (including HTQ review as described below) this will be discussed with the applicant.
- 2.14. The applicant acknowledges that approved qualifications can only be delivered as an HTQ from the 'first teach' date specified for each approvals cycle. However, applicants are free to inform delivery partners, and to market the approved qualification prior to 'first teach' at any point after it has been approved.
- 2.15. The applicant will inform IfATE promptly of any major changes that they intend to make to the approved HTQ and comply with any advice given by IfATE prior to making changes or updates. The applicant accepts that approval may be withdrawn if the applicant makes any major changes which are not consistent with the advice or instructions given by IfATE. IfATE will determine the appropriate level of review depending on the nature of the proposed changes or updates.
- 2.16. If Ofqual, OfS (Office for Students) or, where relevant, a statutory regulator notify the applicant that they have commenced or intend to commence any regulatory action which may affect the ongoing regulation of the qualification/registration of the provider then IfATE will be informed to assess what steps it may need to take, including the potential to withhold approval or withdraw IfATE approval from the qualification.
- 2.17. If the applicant decides to cease delivery or decide not to offer the qualification prior to the first teach date of the qualification, they will inform IfATE of their decision promptly, so that IfATE can consider whether to withdraw its approval.
- 2.18. Where necessary and after receiving advice from IfATE, the applicant will update qualifications following changes to occupational standards within the time frame prescribed by IfATE.

- 2.19. Applicants may submit qualifications that are not yet validated, by this we mean qualifications that may currently be subject to an internal quality assurance review. However, approval will not be granted until the qualification has been validated.
- 2.20. Applicants acknowledge that IfATE approval of the qualification does not guarantee that the Department for Education will agree that the qualification can be publicly funded.
- 2.21. Applicants agree that information regarding their application and/or qualification, or included within their application and/or qualification, can be shared by IfATE with the Department for Education (including its executive agencies), the Office of Qualifications and Examination Regulation (Ofqual), the Office for Students, Office for Standards in Education, Children's Services and Skills (Ofsted) and/or a statutory regulator where doing so is necessary for the exercise of that organisation's statutory functions, or one of IfATE's statutory functions. Applicants have the right to identify any commercially sensitive information shared with IfATE that is not to be shared more widely.

SECTION 3 – QUALITY MARK GUIDELINES

- 3.1. In "Reforming Higher Technical Education: Government Response", published in July 2020, the government confirmed that IfATE-approved HTQs would be clearly badged with a government-backed quality mark, so they are readily identifiable and signal high quality to learners and employers.
- 3.2. The quality mark must only be applied to an approved HTQ in the manner permitted by the quality mark terms of use which stipulate when the HTQ quality mark can and cannot be used. IfATE may withdraw approval if the quality mark terms of use are not adhered to.
- 3.3. The applicant understands that where external providers are delivering their approved HTQs the applicant will retain responsibility for ensuring quality of delivery by those external providers.
- 3.4. A learner who leaves an HTQ approved course early may only receive an exit qualification supported by the HTQ quality mark if that exit qualification is approved by IfATE as an HTQ and the learner has achieved that qualification. This does not preclude exit qualifications being awarded under the awarding body/provider's usual policies, but such awards cannot carry the HTQ quality mark unless they are on the approved list of Higher Technical Qualifications.
- 3.5. Any application of credit transfer from a previous qualification or recognition of prior learning must relate to specific content within the qualification i.e., learners may only have credit transferred or prior learning recognised when that credit/prior learning directly relates to content that would be covered in the HTQ. Where such recognition is permitted by the course provider, the course provider must ensure that the learner is provided with sufficient teaching to ensure that each learning outcome related to

KSBs (Knowledge, Skills, and Behaviours) covered in the course has been taught to the learner, and any delivery agreement with a course provider sets this out.

- 3.6. Providers may receive requests for learners to transfer onto an HTQ course from another course or provider. It remains a matter for individual institutions how they consider content studied on other courses when allowing learners to transfer onto an HTQ. However, Applicants ensure the following is considered before a transfer goes ahead.
 - 3.6.1. We expect all learning outcomes that relate to the KSBs in the occupational standard to be taught before an award of an HTQ can be made. This mirrors the arrangements already set out in relation to credit transfer and recognition of prior learning. This would mean thorough consideration of any content studied outside the approved HTQ course before it can be taken into account. Where a transfer is permitted by the course provider, the course provider must ensure that the learner is provided with sufficient supplementary teaching to ensure that each learning outcome related to the KSBs covered in the course has been taught to the learner and any delivery agreement with a course provider sets this out.
 - 3.6.2. Consideration should be given to the currency of the content the learner has previously studied. In line with general sector practice, we would consider study over 5 years old is likely to be out of date, given how quickly sectors are changing. We would also ask providers to consider whether within that period, the occupational standard has been revised, resulting in some content no longer being relevant. Any content that is in scope for consideration for a learner transferring onto a course or having credit taken into account must not be out of date, as that could cause employers to question the currency of that learning. The creation/revision dates of the relevant occupational standards can be provided on request to enable providers to make a judgment related to individual learners.
- 3.7. IfATE expects assessment practices to be used to ensure that the learner can demonstrate their competence to an employer. The use of compensatory approaches is discouraged, if this could result in learners achieving a pass for the qualification having failed to demonstrate sufficient competence in the learning outcomes. Where compensation is applied, applicants should ensure they explain, within their assessment material, how their approach to compensation does not enable a learner to fail an entire unit of learning or compromise an individual's ability to demonstrate they are competent to enter the relevant occupation. In any event, any compensation that is applied should be reflected in the overall grading of the learner's achievements i.e., no unit of learning should be simply discounted when assessing the learner's overall attainment.

SECTION 4 – REVIEWS AND CHANGES TO APPROVED QUALIFICATIONS

- 4.1.1 4.1 Applicants acknowledge that IfATE will conduct a review of their HTQs from time to time for the purpose of determining whether or not the approval criteria continue to be met and whether there is any other reason why approval ought to be withdrawn; the first review is anticipated to take place by the fifth anniversary of approval of the HTQ ('Higher Technical Qualification review'). IfATE reserves the right, at its discretion, to change the frequency of HTQ reviews taking into account relevant factors (e.g., number of enrolments, time elapsed since point of approval).
- 4.1.2 IfATE will engage with the applicant as part of the HTQ review and applicants will have a reasonable opportunity to provide any relevant information that they consider appropriate in the circumstances.
- 4.1.3 IfATE will consider all relevant information and circumstances (including any information provided by the applicant), including but not limited to whether any modifications to the qualification are needed, whether the HTQ approvals criteria continue to be met (including a revised criteria which post dates approval) and/or whether continued HTQ approval is in the best interest of employers and learners.
- 4.1.4 The applicant accepts that it is IfATE's sole decision whether to withdraw HTQ approval following the HTQ review.
- 4.1.5 The applicant agrees to cooperate with IfATE and provide all such reasonable assistance as may be required to conduct and complete the HTQ review.

Minor and major changes made by applicants

- 4.2. IfATE expects that applicants may need to make major or minor changes to their qualifications. IfATE will expect applicants to make these changes in line with their own internal change processes.
- 4.3 Applicants must inform IfATE of any major changes which may impact on the qualification's approval and on future use of the quality-mark.
- 4.4 Major changes are outlined on [IfATE's change process webpage](#).
- 4.5 Minor changes, such as those set out below, do not impact on the qualification's approval and continued use of the quality mark. A change is considered minor if it does not prevent the qualification meeting the criteria. There is no requirement on applicants to inform IfATE about these changes which include but are not limited to:
- correcting typing errors in the qualification
 - updating names of components of the qualification
 - updating definitions in the qualification

- making clarifications in the qualification
- updating legislation references in the qualification
- updating the names of vendor products in the qualification

4.6 Applicants may contact IfATE should they require clarification on whether a specific change is classed as minor or major.

Reviewing qualifications when occupational standards are revised

4.7. Applicants may need to make changes to qualifications as a result of revisions to the occupational standards they were approved against. IfATE will inform applicants when occupational standards are revised. These may be changes to the content of the occupational standard or more fundamental changes to the occupation on which the standard is based. Where changes relate to content, applicants should update their qualification(s) where identified by IfATE to align with the new requirements.

4.8. IfATE will expect applicants to make changes to their qualification no later than 6 months from the date the revised occupational standard is published. Applicants can submit their amended materials at any point during this 6-month period, and IfATE encourages applicants to complete and submit their changes as soon as is practical. If changes are not made to IfATE's satisfaction within the timeframe specified, approval will be withdrawn from the qualification.

4.9. Revisions to occupational standards as a result of changes to the occupation on which they are based are more complex and may result from IfATE no longer recognising an occupation. As a consequence, it may be necessary to withdraw an occupational standard or amalgamate it with one or more others. When this happens, IfATE will contact the applicant affected and discuss the potential impact on the approved HTQ and the specific timelines for any resulting action. This may include the withdrawal of approval and the quality mark from the qualification, in line with the withdrawal of the occupational standard.

4.10 Upon receipt of the changed materials, IfATE will complete internal review activities within 8 weeks.

4.11 Statutory regulators may require applicants to make changes to qualifications to maintain relevant regulatory approval or recognition. The applicant accepts that IfATE may withdraw approval at any time if it considers that the HTQ approvals criteria are not met (for example, if IfATE are no longer regulated by Ofqual or OfS or the relevant statutory regulator) or an applicant has refused to make a change required by Ofqual, the OfS or a statutory regulator.

