Terms and conditions for approval of Higher Technical Qualifications by the Institute

Institute for Apprenticeships and Technical Education
CONTENTS

Section 1 – Introduction.................................................................................................................................................. 2

Section 2 – Approval....................................................................................................................................................... 2
  Quality mark guidelines................................................................................................................................................. 5
  Reviewing approval...................................................................................................................................................... Error! Bookmark not defined.
  Minor and major changes made by applicants.............................................................................................................. 5
  Reviewing qualifications when occupational standards are revised................................................................. 6
Section 1 – Introduction

1.1. With the Institute for Apprenticeships and Technical Education (the ‘Institute’) having taken on the role of approving Higher Technical Qualifications there is a need to establish a set of terms and conditions between the Institute and an organisation submitting a level 4 or level 5 qualification to be approved by the Institute as a Higher Technical Qualification (‘Applicant’).

1.2. This document sets out the Institute’s terms and conditions for approval of Higher Technical Qualifications, as amended by the Institute from time to time, which comprise the following:

a. Section 1 – Introduction;

b. Section 2 – Conditions of approval which must be met and accepted by an Applicant at the point of application, and details on the use of the quality mark, reviews of approval status, and changes to qualifications and standards.

(‘Terms and Conditions’).

1.3. The Institute wants Applicants to understand these Terms and Conditions from the outset, and has therefore incorporated them into the online Higher Technical Qualification approval application process. Applicants seeking Higher Technical Qualification approval will be requested to agree to these Terms and Conditions when making their application.

1.4. These Terms and Conditions will not prevent the Institute from exercising any of its statutory functions.

1.5. The Institute reserves the right to amend these Terms and Conditions at any time by publishing such amendments on its website.

1.6. Please note that the Higher Technical Qualification quality mark is a registered trade mark of the Institute and the word mark ‘Higher Technical Qualification’ has been filed by the Institute for trade mark registration; any misuse of the trade marks could lead to an action for trade mark infringement.

a. A qualification submitted for approval must not include the words ‘Higher Technical Qualification’ or ‘HTQ’ in the qualification title, prior to or after approval. Any such use may result in the withdrawal of Institute approval from the qualification.

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1 https://trademarks.ipo.gov.uk/ipo-tmcase/page/Results/1/UK00003706861

2 https://trademarks.ipo.gov.uk/ipo-tmcase/page/Results/1/UK00918247001
Section 2 – Approval

2. We will submit one application per qualification (including where the qualification maps to one or more occupational standards).

2.1. We confirm that (if approved) our Higher Technical Qualification(s) will not share the same title as any non-Higher Technical Qualification course that we or any of our delivery partners offer.

2.2. We confirm that we will not include the words ‘Higher Technical Qualification’ or ‘HTQ’ within any title for a qualification, prior to or after approval.

2.3. We confirm that where our submitted qualification(s) align to occupations that have a statutory regulator with whom individuals must be registered in order to practice in the occupation, our qualification(s) are already recognised by the relevant statutory regulator.

2.4. We acknowledge that any content that does not align to the relevant occupational standard should be included in the additional content section of the application form. We understand that any additional content contained within the qualification must be, in the opinion of the Institute, occupationally relevant.

2.5. We confirm that the substantive element of the qualification will cover the occupational standard and acknowledge that the Institute is unlikely to approve a qualification where additional content outweighs knowledge, skills and behaviours content.

2.6. We confirm that we own all of the intellectual property (including the copyright) in the documents submitted as part of the Higher Technical Qualification approval process, or, where a third party owns all or any intellectual property in any of the documents, we confirm that we have obtained any necessary licenses, permissions or consents from that third party to enable us to use and submit the documents in support of our application for Higher Technical Qualification approval.

2.7. Where the Higher Technical Qualification is delivered by us but is validated by a degree-awarding partner (a ‘validated course’), we acknowledge that we may still seek Higher Technical Qualification approval from the Institute, subject to obtaining the prior written consent of the degree-awarding partner.

2.8. We are of the view that the submitted documents and the information contained in the application form meet the Institute’s approvals criteria.

2.9. We acknowledge that approval is subject to meeting the Institute’s approvals criteria and that the Institute will make a determination as to whether the Higher Technical Qualification is approved in accordance with its published processes.

2.10. We acknowledge that the Institute may consult publicly on the qualification documents that we have submitted as part of the Higher Technical Qualification approval process (‘the qualification materials’), and that the qualification materials may be published for the purpose of a public consultation. We understand that if we have any concerns about the Institute publishing any of the qualification materials then we will raise these with the Institute at the application stage. For the avoidance of doubt, the Institute will not publish any of our qualification materials where we have raised any such concerns with the Institute, but the Institute may need to discuss these documents with us in order
to ensure that any public consultation is meaningful and fair. The Institute may need to publish additional qualification materials that we hold further to those that we have submitted with our application as part of the Higher Technical Qualification approval process in order to consult meaningfully, and we accept that we may be required to submit these additional qualification materials (should this be agreeable) as part of the Higher Technical Qualification approval process for that purpose.

2.11. We understand that, in certain circumstances, copyright in the relevant course documents may transfer to the Institute in the event that our Higher Technical Qualification is approved and that in order to determine whether copyright transfers, the Institute will follow the process outlined in the copyright transfer criteria guidance. The Institute will, prior to any approval of the Higher Technical Qualification, inform us if the copyright in any of the relevant course documents is likely to be transferred in such a manner, and in such circumstances, we will also have the opportunity to withdraw from the approval process.

2.12. We will have the opportunity to reconsider our application at the point of approval, and should we wish to withdraw from the approval process then we will be free to do so (for example in the event that the Institute informs us that copyright in our relevant course documents is likely to transfer to the Institute).

2.13. We acknowledge that approval will subsist for an indefinite period. However, we accept that the Institute may withdraw approval at any time if it considers that the approval criteria are no longer met (for example, if the standard against which the qualification was approved is withdrawn) or we are no longer regulated by Ofqual or OfS or there is other good reason to withdraw approval (for example if the qualification has fallen out of use). Approval may be withdrawn in the event that the Institute considers we have failed to adhere to any of these Terms and Conditions. If the Institute is considering withdrawal of approval in any circumstances (including Higher Technical Qualification review as described below) this will be discussed with us.

2.14. We acknowledge that approved qualifications can only be delivered and marketed as Higher Technical Qualifications from the ‘first teach’ date (for cycle 1 this is September 2022). However, we can inform delivery partners that our qualification has been approved prior to ‘first teach’.

2.15. We acknowledge that the Institute will conduct a review of our Higher Technical Qualification 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 Higher Technical Qualification (‘Higher Technical Qualification review’). The Institute reserves the right, at its discretion, to change the frequency of the Higher Technical Qualification reviews. The Institute will engage with us throughout the Higher Technical Qualification review and we will have the opportunity to provide any relevant information that we consider appropriate in the circumstances. We accept that it is the Institute’s sole decision whether to withdraw Higher Technical Qualification approval following the Higher Technical Qualification review. We agree to cooperate with the Institute and provide all such reasonable assistance as may be required to conduct and complete the Higher Technical Qualification review. We accept that, as part of the Higher Technical Qualification review, the Institute will consider all relevant information and circumstances (including any information provided by us), including but not limited to whether any modifications to the qualification are needed, whether the approval criteria continue to be met and/or whether continued Higher Technical Qualification approval is in the best interest of employers. (Please see section on reviewing approval for more details)
2.16. We will inform the Institute promptly of any major changes that we intend to make to the approved Higher Technical Qualification or its content and comply with any advice given to us by the Institute prior to making any such changes or updates. We accept that approval may be withdrawn if we make any major changes which are not consistent with the advice or instructions given by the Institute. Where changes or updates are made to a qualification with the Institute’s consent, a review may not be necessary. The Institute will determine the appropriate level of review depending on the nature of the proposed changes or updates.

2.17. If Ofqual, OfS or, where relevant, a statutory regulator notify us 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 the Institute will be informed to assess what steps it may need to take (including the potential to withdraw Institute approval from the qualification).

2.18. If we decide to cease delivery of the qualification during the duration of approval, we will inform the Institute of our decision promptly, so that the Institute can consider whether or not to withdraw its approval.

2.19. Where necessary, following advice from the Institute, we will update qualifications following changes to occupational standards within 12 months of a new standard being published.

Quality mark guidelines

2.20. In “Reforming Higher Technical Education: Government Response”, published in July 2020, the government confirmed that Institute-approved Higher Technical Qualifications would be clearly badged with a government-backed quality mark, so that they are readily identifiable and signal high quality to learners and employers.

2.21. The quality mark must only be applied to an approved Higher Technical Qualification in the manner permitted by the guidelines. The Institute may withdraw approval if the quality mark guidelines are not adhered to.

2.22. A student who leaves a Higher Technical Qualification course early may only receive a mid-point exit qualification supported by the Higher Technical Qualification quality mark if that exit qualification is approved by the Institute as a Higher Technical Qualification in its own right and the student has achieved that qualification. This does not preclude mid/exit qualifications being awarded under the awarding body/provider’s usual policies, but such awards cannot carry the Higher Technical Qualification quality mark unless they are on the approved list of Higher Technical Qualifications.

2.23. We understand that where external providers are delivering our approved Higher Technical Qualification we will retain responsibility for ensuring the quality of delivery including reviews of teaching and assessment standards, and for assuring adherence to the quality mark guidelines.

Minor and major changes made by applicants

2.24. The Institute expects that Applicants may need to make major or minor changes to their qualifications. The Institute will expect Applicants to make these changes in line with their own internal change processes and for any changes to have been completed in advance of the Higher Technical Qualification review.

2.25. Applicants must inform the Institute of any major changes which may impact on the qualification’s approval and on future use of the quality-mark.

2.26. Major changes are:
any changes that will impact on the qualification’s coverage of knowledge, skills, and behaviours (KSBs) in the occupational standard and will therefore impact on the ability to meet the Institute’s criteria.

any changes to the assessment methods of the Higher Technical Qualification.

substantial changes to any additional occupationally relevant content in the qualification (i.e. that content not aligned to the occupational standard)

changes to qualification title, code, and/or validation. Any other changes which we consider to be substantial or the Institute has advised in advance to be substantial.

2.27. 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 which were applied when the Higher Technical Qualification was approved. There is no requirement on Applicants to inform the Institute about these which include:

- correcting typos in the qualification
- updating names of components of the qualification
- updating definitions in the qualification
- making clarifications in the qualification
- making language changes in the qualification
- updating legislation references in the qualification
- updating the names of vendor products in the qualification

Reviewing qualifications when occupational standards are revised

2.28. Applicants may need to make changes to qualifications as a result of revisions to the occupational standards they were approved against. These revisions are usually initiated by employers and the Institute will inform Applicants when occupational standards are revised. These may be changes to the content of the standard (as set out in the Institute’s revisions and adjustments policy for occupational standards) or more fundamental changes to the occupation on which the standard is based. Where changes relate to content, Applicants should update the qualification where needed to align with the new requirements.

2.29. Applicants will only be able to make such changes once the recommendations from the Institute’s revisions process have been addressed by the trailblazer group (who developed the occupational standard) and the revised occupational standard is published. The Institute will expect Applicants to make these no later than 6 months after the applicant has been notified of the change or the revised occupational standard is published, respectively. Applicants can submit their amended materials at any point during this 6 month period, and we encourage applicants to complete and submit their changes as soon as is practical.

2.30. Revisions to standards as a result of changes to the occupation on which they are based are more complex and may result from employers no longer recognising an occupation. As a consequence, it may be necessary to withdraw a standard or amalgamate it with one or more others. When this happens, the Institute will contact the applicant affected and discuss the impact on the approved Higher Technical Qualification and the specific timelines for any resulting action. This may include the withdrawal of approval and the quality mark from the qualification over an agreed time period, in line with the withdrawal of the standard.
2.31. Upon receipt of the changed materials, the Institute will confirm the timescale for the completion of our internal review activities.

2.32. Statutory regulators may require applicants to make changes to qualifications to maintain relevant regulatory approval or recognition. We accept that the Institute may withdraw approval at any time if it considers that the approval criteria are no longer met (for example, if we are no longer regulated by Ofqual or OfS or the relevant statutory regulator).
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