



THE CODE OF CONDUCT FOR THE ASSESSMENT QUALITY PARTNERS (AQPS)

We, the undersigned, wish to be approved by the QCTO as the AQP. We agree that, if the QCTO delegates such functions to us, we hereby commit ourselves to abide by the QCTO's Code of Conduct in relation to all our work. The Code of Conduct to which we agree is as follows:

- 1.1 promoting the objectives of the NQF
- 1.2 dealing fairly, professionally and equitably with stakeholders whilst accelerating the redress of past unfair discrimination.
- 1.3 consulting with all relevant stakeholders that have an interest in the development and assessment of occupational qualifications and sharing of best practice.
- 1.4 executing our responsibilities and accountabilities timeously and with due regard to the accountability to our constituents that we are committed to serve.
- 1.5 seeking at all times to create a positive environment for the development and assessment process and respect the historical diversity of learners' cultural, linguistic and educational backgrounds.
- 1.6 declaring *conflict of interest* that infringe on the execution of our delegated responsibilities.
- 1.7 recusing ourselves from any decision-making process which may result in improper personal gain that will impact negatively on *the values cherished by the QCTO*.

1.8 recognising the public's rights of *access to information*, excluding information that is specifically protected by the law.

1.9 acting in a manner that will respect, promote and protect the goodwill and reputation of occupational qualification family.

1.10 reporting all relevant information about best practices and irregularities in the development and assessment process of which we become aware.

FUNCTIONS OF THE ASSESSMENT QUALITY PARTNER (AQP)

1. QCTO FUNCTIONS AND THEIR DELEGATION

1.1 Section 26H of the SDA outlines the functions of the QCTO as follows:

- (1) the QCTO must advise the Minister on all matters of policy concerning occupational standards and qualifications;
- (2) the QCTO must perform its functions in terms of the SDA and NQF Act;
- (3) subject to any policy issued by the Minister in terms of section 26F of the SDA, the QCTO is responsible for -
 - (a) establishing and maintaining the occupational standards and qualifications;
 - (b) the quality assurance of occupational standards and qualifications and learning in and for the workplace;
 - (c) designing and developing occupational standards and qualifications and submitting them to the South African Qualifications Authority for registration on the National Qualifications Framework;
 - (d) ensuring the quality of occupational standards and qualifications and learning in and for the workplace;
 - (e) promoting the objectives of the NQF;
 - (f) liaising with the National Skills Authority on suitability and adequacy of occupational qualifications standards and qualifications and on the

quality of learning in for the workplace;

(g) liaising with the South African Qualifications Authority, other Quality Councils and professional bodies responsible for establishing standards and quality assurance of standards and qualifications; and

(h) performing any other function

(4) the QCTO has all such functions as are necessary to enable it to perform its functions in terms of this section.

(5) the Minister may issue written instructions, which are not inconsistent with any policy made by the Minister in terms of section 26F, to the QCTO regarding the performance of its functions in terms of subsection (3) of the SDA.

(6) the QCTO must comply with -

(a) any policy determined by the Minister in terms of section 26F; and

(b) any written instruction issued by the Minister in terms of subsection (5).

1.2 In terms of section 32 of the NQF Act, SAQA and the Quality Councils (QCs) have the power to delegate any of their functions to a committee, any other body capable of performing the function or an employee, but the delegation -

(a) must be in writing and available for inspection on request by a member of the public;

(b) must specify the terms and conditions of the delegation;

(c) must be consistent with this Act and the Act by which the relevant QC is established;

(d) must be accompanied by sufficient funds to perform the function;

(e) does not exempt the SAQA or the QC, as the case may be, from responsibility for the function; and

(f) does not prevent the performance of the function by the SAQA or the QC, as the case may be.

1.3 Section 26I (1) of the Skills Development Act (SDA) further specifies that the QCTO may, in writing and subject to such conditions as it may determine, delegate any of its functions to -

(a) the chief executive officer of the QCTO;

(b) a committee of the QCTO;

(c) the national artisan moderation body established in terms of Section 26A of the

SDA;

- (d) a SETA; or
- (e) any other suitable body.

1.4 For the purposes of this policy, the bodies to which the QCTO delegates functions shall be called Quality Partners (i.e. Development Quality Partners (DQPs) and Assessment Quality Partners (AQPs)). The functions delegated to these Quality Partners are outlined in clauses 2 and 6 of the delegation policy and (clause 2 and 3 of this Service Level Agreement).

1.5 This policy prescribes the minimum conditions for such delegations.

1.6 However it should be noted that Section 26I (2) of the Skills Development Act (SDA) also states that a delegation under section 26I (1) -

- (a) does not divest the QCTO of the function delegated and the QCTO may at any time review, amend or set aside any decision made under the delegation;
- (b) does not prevent the performance of the function by the QCTO itself; and
- (c) may be revoked by the QCTO at any time.

SECTION A: QUALITY ASSURANCE OF OCCUPATIONAL QUALIFICATIONS AND/OR PART QUALIFICATIONS

2. FUNCTIONS OF AN ASSESSMENT QUALITY PARTNER (AQP)

2.1 The Assessment Quality Partner must, in respect of the occupation/s specified in the Service Level Agreement:

- (a) Develop, maintain and apply a national data-bank of instruments for external assessment;
- (b) Develop and publish exemplars of external assessments;
- (c) Coordinate and manage external assessment processes;
- (d) Develop and maintain a national database of registered assessors and moderators from which assessors/moderators for the external summative assessments will be selected;
- (e) Record learner achievements;
- (f) Develop criteria for the accreditation of assessment centres or the approval of assessment sites;
- (g) recommend to the QCTO assessment centres for registration;
- (h) Make recommendations to the QCTO on the withdrawal of accreditation of an assessment centre;
- (i) Recommend to the QCTO the accreditation of skills development providers for the knowledge and/or practical skills component using criteria and guidelines provided by the QCTO;
- (j) Verify that SETA workplace approval systems meet the standards set in the workplace experience curriculum component against the criteria and guidelines provided by the QCTO;
- (k) Implement an appeals policy as guided by an assessment policy;
- (l) Upload learner assessment achievements to the QCTO;
- (m) Recommend the certification of learners to the QCTO;
- (n) Ensure systems are in place to detect and address irregularities;
- (o) Conduct learner tracer studies;
- (p) Advise the QCTO as to the recognition of qualifications and part qualifications from other sub frameworks;

- (q) Promote continuous professional development of AQP associated practitioners;
 - (r) Report to the QCTO on the performance of its functions in the form and manner required by the QCTO;
 - (s) Collaborate with QCTO on the evaluation of the assessment and moderation processes; and
 - (t) Moderate at least 10% of learner assessments.
- 2.3 Recognise part qualifications as/towards the achievement of one or more of the curriculum components.
- 2.4 Provide for RPL assessment to enable learners to achieve full or part recognition for one or more of the curriculum components and where full recognition is given then enable the learners to access the final summative assessment.
- 3. CRITERIA FOR THE APPROVAL OF AN ASSESSMENT QUALITY PARTNER (AQP)**
- 3.1 A party seeking to perform the functions of the Assessment Quality Partner must satisfy the following criteria:
- a. must be recommended to the QCTO by the relevant CEP within the DQP occupational development process at a point when they submit an occupational profile
 - b. have access to communities of expert practitioners in the occupation(s) concerned
 - c. Have standing and experience in the occupation(s) concerned
 - d. Have access to a reliable management system in the format required by the QCTO
 - e. Have access to assessors and other human resources necessary to perform the AQP functions using the criteria and guidelines provided by the QCTO
 - f. Have the financial resources necessary to establish the AQP function and implement affordable effective, efficient and transparent financial management and internal control systems, verified by means of a written commitment by its relevant authority
 - g. Have a proposed fee structure funding model to maintain delivery of the AQP services for a minimum of 5 years and which is aligned to the QCTO fee structure
 - h. Have research capacity even if through a third party arrangement
 - i. Be willing to sign the QCTO Code of Conduct if delegation as the AQP is approved
 - j. Submit a valid tax clearance certificate where appropriate

- 3.2. Proof must be submitted to demonstrate adherence with the criteria mentioned under clause 3.1 above. Such proof must include submission of the schedules 1, 2 and 3.
- (a) Schedule 1 - AQP Project Details and Timeframe.
 - (b) Schedule 2 - Proposed Fee Structure Model.
 - (c) Schedule 3 - Letter from the AQP's relevant authority committing the necessary financial resources to fund the AQP function; and confirming that effective, efficient and transparent financial management and internal control systems are in place.
- 3.3 Upon receipt of all required documentation specified in the application criteria, and payment of the fees as set out in the QCTO Fee Structure Model for processing the application, the QCTO will evaluate the application. The outcome of the evaluation will be communicated to the applicant in writing.
- 3.4 Upon approval the QCTO will sign a Service Level Agreement (SLA) (*Annexure A*) with the Assessment Quality Partner to perform the functions as specified in this policy for a period, not exceeding five years, which may be extended by the QCTO if it so determines.
- 3.5 In some cases provisional approval will be granted by the QCTO for a limited time period. The conditions to be met for full approval will be specified as part of the signing of the Service Level Agreement (SLA) with the Assessment Quality Partner.

4. QCTO OBLIGATIONS IN RESPECT OF ASSESSMENT QUALITY PARTNERS

The QCTO will -

- (a) upon receipt of all required documentation specified in the application criteria, and payment of the required fees for processing the application, the QCTO will evaluate the application and revert to the applicant as specified in the operational procedures;
- (b) ensure that QCTO national standards are met through monitoring and evaluation of the execution of functions by the Assessment Quality Partner;
- (c) evaluate criteria for the accreditation of assessment centres or the approval of assessment sites developed by AQP;
- (d) publish criteria and guidelines for the accreditation of skills development providers and for workplace approval systems;
- (e) accredit or provisionally accredit skills development provider programmes on the advice of the relevant AQP. Institutional accreditation will be specified in a separate policy;
- (f) accredit or provisionally accredit assessment centres and register or provisionally

- register assessment sites on the advice of the relevant AQP;
- (g) establish and publish timeframes for the processing of recommendations to register assessment centres;
 - (h) publish and update fee guidelines annually;
 - (i) maintain a database of accredited and provisionally accredited skills development providers, assessment centres and registered and provisionally registered assessment sites;
 - (j) evaluate and monitor integrated QMS policy for quality management as developed by AQP;
 - (k) evaluate and monitor integrated MIS as developed by an AQP;
 - (l) evaluate the assessment and moderation processes;
 - (m) monitor adherence to the QCTO Code of Conduct for AQPs;
 - (n) issue certificates for occupational qualifications or part qualifications;
 - (o) consult with the AQP prior to exercising its powers under clause 1.6 (c) of this policy; and
 - (p) make publicly available the list as specified in (i) above.

5. NON COMPLIANCE

- 5.1 The QCTO may, at any time, review, amend or set aside any decision under the delegation (SDA section 26I (2) (a).
- 5.2 If a DQP or AQP fails to comply with this policy or any requirements that flow from it, the QCTO may set conditionality, withdraw the delegation or institute any other penalty.

6. CHARGING OF FEES BY THE QCTO

The QCTO may charge fees for:

- (a) evaluation of occupational part qualifications;
- (b) publication of occupational part qualifications ;
- (c) the accreditation of assessment centres and sites;
- (d) certification of learners;
- (e) re-issue of learner certificates; and
- (f) such other service as the QCTO, after consultation, determines.

7. CONTRACTUAL ARRANGEMENTS

- 7.1 The delegation must be in writing.
- 7.2 The written delegation shall take the form of a Service Level Agreement (SLA) between the CEO of the QCTO and a duly authorised person representing the body appointed as a Quality Partner.
- 7.3 The SLA is a mechanism to identify and commit resources required to perform the delegated function.
- 7.4 The written agreement must be concluded prior to the commencement of the delegation of functions.
- 7.5 Any changes to this agreement must be in writing and signed by both parties before it shall be binding on the parties.

8. DISPUTE RESOLUTION

- 8.1 In the event of a dispute arising out of this delegation, the parties must endeavour to negotiate in good faith with a view to settling the dispute amicably.
- 8.2 The aggrieved party must notify the other party in writing within 7 working days of his/her position on the dispute as well as any solution which they consider it possible.
- 8.3 If the negotiations fail, the dispute must be referred to the QCTO Appeals Committee for resolution.
- 8.4 The QCTO Appeals Committee may determine any additional procedure needed to adjudicate the dispute in a fair manner and communicate these procedures to the parties.
- 8.5 The decision arrived at as a result of QCTO Appeals Committee determination is final, unless an order of court directs otherwise.

9. TRANSITIONAL ARRANGEMENTS

- 9.1 The QCTO reserves the right to waive certain conditions during the transitional period to enable implementation of this policy.
- 9.2 During the transition period special measures which are least disruptive, will be put in place to enable currently registered skills development providers to attain accreditation in terms of the QCTO accreditation requirements.
- 9.3 During the transitional period the QCTO will adopt an investigative approach towards the fee structure of applicant AQPs. This will inform policy on this matter in due course.