

Centre Recognition Withdrawal Policy and Procedure

Introduction

This document sets out the policy and procedure that must be followed in the event that a Recognised Centre wishes to, or Gateway Qualifications decides to, withdraw recognition, including as a result of suspension or termination of Recognition, in full or in part from a Recognised Centre.

The purpose of this Policy is to ensure that the interests of learners are protected in the case of Centre Recognition withdrawal, or suspension.

Scope

This Policy applies to all Recognised Centres.

The intended audience for this document is:

- Gateway Qualifications' staff and wider workforce
- Recognised Centre management and staff.

Gateway Qualifications' Centre Agreement may be revised from time to time and the clause references provided in this Policy may therefore be altered in revised editions. The latest version of the Centre Agreement is available on Gateway Qualifications' PRISM system.

Reasons for Gateway Qualifications' removal of Centre Recognition

A decision to withdraw Centre Recognition may have been taken as part of Gateway Qualifications' application of its Sanctions Policy and Procedure, for example in response to a malpractice or maladministration case, or some other event.

In other circumstances the decision to remove Centre Recognition is taken by the Director of Awarding in consultation with the Compliance Manager and the Quality Assurance Manager, for example where the Centre has been inactive.

As detailed in clauses 21.3 and 23 of the Centre Agreement, the circumstances in which Gateway Qualifications will remove recognition are as follows:

Note: this list is not exhaustive:

- The Centre is **subject to a sanction** under the Sanctions Policy resulting in the withdrawal of Centre Recognition
- The Centre is in **material or persistent breach** of any of the Centre Agreement Terms and Conditions, and where the breach is capable of remedy the Recognised Centre has failed to act
- Gateway Qualifications reasonably believes that **the Centre's conduct is prejudicial** to Gateway Qualifications' interests

- The Centre **has not registered any Learners** with Gateway Qualifications for more than 12 months
- The Centre undergoes a **change of control** which could affect the Recognised Centre's ability to comply with Gateway Qualifications' Centre Agreement Terms and Conditions
- The **Centre ceases or threatens to cease** to trade, becomes bankrupt, or goes into liquidation, or has a receiver or manager appointed
- The Centre **is unable to offer qualifications** as a result of change in laws and/or regulations
- The Centre is **subject to a sanction** by another Awarding Organisation, equivalent to a Gateway Qualifications sanction
- There are **long standing financial issues** which remain unresolved.

A Recognised Centre may also wish to terminate its Recognised Centre status. In these circumstances the Centre must provide 6 months' written notice.

Centre obligations

Gateway Qualifications' Centre Agreement requires that where a Recognised Centre shall, in the event it wishes to, or Gateway Qualifications decides to, withdraw the Recognition (including as a result of suspension or termination of Recognition) (in full or in part), the Centre must:

- 11.1.1 comply with Gateway Qualifications' Policy and Procedures for the withdrawal of Recognition;
- 11.1.2 promptly prepare, maintain and comply with a written withdrawal plan;
- 11.1.3 cooperate fully with Gateway Qualifications;
- 11.1.4 provide clear and accurate information about the withdrawal to the Users;
- 11.1.5 immediately cease to enrol Learners for Qualifications;
- 11.1.6 provide to Gateway Qualifications relevant details of all Learners enrolled for Qualifications;
- 11.1.7 take all reasonable steps to protect the interests of Learners, including, but not limited to, by assisting with or securing a transfer to a different Recognised Centre.

In the event of a Recognised Centre seeking to terminate its Centre Recognition, 6 months' written notice must be provided to Gateway Qualifications.

In the event of withdrawal of Centre Recognition, there are consequences and obligations that will apply to the Centre, for example ceasing to use any Gateway Qualifications' registration systems. Please refer to clause 24 of the Centre agreement.

The Centre's attention is drawn to the following clauses in the Centre Agreement, that:

- 24.1 The Recognised Centre shall take all reasonable steps to act in the Learners' legitimate best interests in the event of suspension of Recognition and/or during any investigation conducted by Gateway Qualifications, or in the event of termination of the Recognised Centre Agreement pursuant to clause 23, including, but not limited to, such co-operation as may be required to effect the transfer of Learners to another Recognised Centre.

Procedure for Withdrawal

If a Centre wishes to withdraw their Centre Recognition, they must give 6 months' notice to Gateway Qualifications in writing (ref clause 23.1 in the Centre Agreement).

In the event that Gateway Qualifications initiates withdrawal the Centre will be given 3 months' notice by Gateway Qualifications' in writing (ref clause 23.1 in the Centre Agreement).

A Withdrawal Plan will be drawn up in conjunction with the Centre (where possible).

This will include:

- rationale for the withdrawal
- number of current registered learners
- details of plans to support existing learners yet to complete to ensure that their interests are protected
- last date for registrations
- last date for certifications

Once notification of withdrawal has been given, the Centre must:

- confirm that the Centre Certificate of Recognition has been destroyed
- remove any references to Gateway Qualifications on any published materials (including their website)
- retain all Learner records in accordance with the Gateway Qualifications Record Retention Policy.

Review arrangements and monitoring

Gateway Qualifications will review this Policy annually and as part of its self-evaluation arrangements, and revise it when necessary in response to customer feedback, trends from internal and external monitoring arrangements, changes in internal practices, actions from the regulatory authorities, external agencies or changes in legislation.

If you would like to feed back any views on this Policy, please contact us via the details provided at the end of this document.

Gateway Qualifications' Quality and Standards and Access to HE Committees are responsible for monitoring the effectiveness of the application of the Policy. Summary reports will be submitted to enable the Committees to monitor the application and effectiveness of the Policy and process. An annual summary is also submitted to the Board of Trustees for monitoring and ratification.

Contact us

If you have any queries about the contents of the policy, please contact:

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Version: 1.3 June 2022
 Policy author: Director of Awarding
 Board approval date: 13 July 2022
 Review date: June 2023

Ofqual, General Conditions of Recognition

Condition C1: Arrangements with third parties

Condition C2: Arrangements with Centres

Qualifications Wales Standard Conditions of Recognition

Condition C1: Arrangements with third parties

Condition C2: Arrangements with Centres

QAA licensing criteria

Criteria 8c: In addition to its responsibilities as specified by company and charity law, the organisation's board of directors (or equivalent most senior body within the governance structure) is ultimately responsible for: c all procedures associated with the granting or withdrawal of approval of Access to HE providers, Diplomas and courses

Criteria 56: The AVA has a documented procedure for the performance management of providers, including criteria and a procedure for the withdrawal of approval from a provider or for a specific Access to HE Diploma before the end of its validation period. This procedure involves the designated body.

Criteria 57: The AVA takes prompt action to amend, suspend or withdraw approval from a provider or for a specific AHE Diploma, in line with its procedures, where a provider is not meeting the terms of its approval.