



Policy and Criteria for the Recognition of Professional Bodies and the Registration of Professional Designations (as amended, 2019)

**Draft for public comment
29 October 2019**

Contents

Foreword	3
-----------------------	----------

Policy and Criteria for the Recognition of Professional Bodies and the Registration of Professional Designations (as amended, 2019)	4
--	----------

Definitions	4
-------------------	---

Purpose	4
---------------	---

Introduction and background	4
-----------------------------------	---

Objectives	5
------------------	---

Scope	6
-------------	---

Policy for the recognition of professional bodies	6
---	---

Criteria for the recognition of professional bodies	8
---	---

Policy for the registration of professional designations	9
--	---

Criteria for the registration of professional designations	10
--	----

Foreword

The *Policy and Criteria for the Recognition of Professional Bodies and the Registration of Professional Designations (as amended, 2019)*, referred to as the *2019 Amended P&C for professional bodies*, was developed by the South African Qualifications Authority (SAQA) as part of its mandate to “oversee the further development and implementation of the NQF”.

Section 13(1)(i) of the National Qualifications Framework (NQF) Act, Act 67 of 2008, as amended, requires SAQA to:

- i. develop and implement policy and criteria for recognising a professional body and registering a professional designation for the purposes of this Act, after consultation with statutory and non-statutory bodies of expert practitioners in occupational fields and with the Quality Councils (QCs); and
- ii. recognise a professional body and register its professional designation if the criteria contemplated in subparagraph (i) have been met.

This *2019 Amended P&C for professional bodies* demonstrates the critical role of professional bodies in quality assurance and standards development in the NQF environment. The recognition of professional bodies, and the registration of their designations, will contribute to strengthening social responsiveness and accountability within professions and promoting pride in association for all professions and occupations. Redress is also a key imperative in the South African policy and regulatory environment. It is critical that perceptions of exclusionary practices be addressed upfront and that professions do not apply unjust policies and practices regarding who gains access to a profession.

SAQA is working with professional bodies to make sure that all South Africans benefit from the professions.

Joe Samuels
Chief Executive Officer
South African Qualifications Authority

Policy and Criteria for the Recognition of Professional Bodies and the Registration of Professional Designations (as amended, 2019)

Definitions

1. The following definitions are relevant to this Policy and Criteria:
 - a. “Community of expert practitioners” means a group of knowledgeable or appropriately skilled practitioners in a formalised and well-defined profession or occupation.
 - b. “Community of practice” means a group of people who share a craft and/or a profession.
 - c. “NQF Act” means the National Qualifications Framework Act (Act 67 of 2008), as amended.
 - d. “Occupational qualification” means a qualification associated with a trade, occupation or profession resulting in learning in and for the workplace.
 - e. “Part-qualification” means an assessed unit of learning that is registered as part of a qualification.
 - f. “Professional body” means any statutory or non-statutory body that sets professional standards and registers individual expert practitioners in an occupational field.
 - g. “Professional designation” means a title or status conferred by a professional body in recognition of a person’s expertise and/or right to practise in an occupational field.
 - h. “Progression pathway” means a hierarchy of two or more related qualifications and/or professional designations that allow for vertical progression within a profession.
 - i. “Provider” means a legally established institution (public or private) that has been recognised, usually for a particular period of time, by a QC or its appointed agent, as having the capacity or provisional capacity to offer an NQF registered qualification or part-qualification at the required standard.
 - j. “Qualification” means a registered national qualification.

Purpose

2. This *Policy and Criteria for the Recognition of Professional Bodies and the Registration of Professional Designations as amended in 2019* (referred to as the *2019 Amended P&C for professional bodies*) outlines how SAQA, for the purposes of the NQF Act, recognises statutory and non-statutory professional bodies and registers professional designations.

Introduction and background

3. The South African NQF is a comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications. The NQF was established under the SAQA Act (Act 58 of 1995) and continues under the NQF Act (Act 67 of 2008) which came into effect on 1 June 2009.

4. The objectives of the NQF are designed to contribute to the full personal development of each learner and the social and economic development of the nation at large, including to:
 - a. create a single, integrated national framework for learning achievements;
 - b. facilitate access to, and mobility and progression within, education, training and career paths;
 - c. enhance the quality of education and training; and
 - d. accelerate the redress of past unfair discrimination in education, training and employment opportunities.
5. SAQA is responsible for overseeing the further development and implementation of the NQF, and understands it as a system of communication, co-ordination and collaboration across education, training, development and work. In advancing the NQF objectives, SAQA embraces diversity, environmental sustainability and social justice.
6. The NQF is an integrated framework overseen by SAQA and comprising three co-ordinated Sub-Frameworks, each managed by a Quality Council (QC):
 - a. Higher Education Qualifications Sub-Framework (HEQSF) overseen by the CHE;
 - b. General and Further Education and Training Qualifications Sub-Framework (GFETQSF) overseen by Umalusi; and
 - c. Occupational Qualifications Sub-Framework (OQSF) overseen by the QCTO.
7. In terms of Sections 28, 29, 30 and 31, read with paragraphs 13(1)(i)(i), 13(1)(i)(ii) and 13(1)(l) of the NQF Act, and notwithstanding the provisions of any other Act, a statutory or non-statutory professional body will:
 - a. co-operate with the relevant QC(s) in respect of qualifications and quality assurance in its occupational field;
 - b. apply, in the manner prescribed by SAQA, to be recognised as a professional body in terms of the NQF Act; and
 - c. apply, in the manner prescribed by SAQA, to register a professional designation.

Objectives

8. The objectives of this *2019 Amended P&C for professional bodies* are to:
 - a. advance the objectives of the NQF;
 - b. promote public understanding of, and trust in, professions through the establishment of a nationally regulated system for the recognition of professional bodies and the registration of professional designations;
 - c. encourage social responsibility and accountability within the professions relating to professional services, communities and individuals;
 - d. promote the setting of standards by professional bodies;
 - e. promote pride in association for all professions, including traditional trades and occupations;

- f. promote the sustainability of professional bodies in terms of financial sustainability and human resource capacity;
- g. promote the protection of the public by professional bodies from malpractice related to the fulfilment of the professional duties and responsibilities of professionals registered with them;
- h. encourage international leading practice and the raising of esteem for all professions in South Africa;
- i. facilitate access to, and analysis of, data related to professions, including traditional trades and occupations, for the purposes and use as prescribed by the NQF Act;
- j. encourage the provision of alternative access routes into professional designations through Recognition of Prior Learning (RPL);
- k. support the development of a national career advice system; and
- l. encourage the development and implementation of Continuing Professional Development (CPD).

Scope

- 9. This *2019 Amended P&C for professional bodies* applies to all professional bodies in South Africa who function within, and for the purposes of, the NQF Act.

Policy for the recognition of professional bodies

- 10. A professional body must apply to SAQA for recognition as a professional body and registration of its professional designations in accordance with this *2019 Amended P&C for professional bodies*.
- 11. A body constituted to represent and/or regulate a recognised community of expert practitioners will be recognised by SAQA as a professional body on fulfilment of the criteria for recognition as a professional body.
- 12. Proliferation of professional bodies within the same community of practice will be discouraged, but will be balanced with the acknowledgement that healthy competition and freedom of association should not be impeded.
- 13. In cases where more than one professional body for a specific community of practice applies for recognition, or where SAQA has already recognised a professional body in the same sector, SAQA will consider recognition based on the following:
 - a. There must be no legal impediment to the operation of a second or subsequent body applying for recognition;
 - b. The favourable outcome of a broad consultation within the community of practice and the wider society; and
 - c. The distinctiveness of multiple bodies in the same community of practice.

14. SAQA will not recognise an additional professional body in a sector in which a professional body has been established through an Act of Parliament.
15. In administering the *2019 Amended P&C for professional bodies* SAQA will:
- ensure that a professional body seeking recognition meets all the criteria for recognition;
 - invite public comment on its intention to recognise a professional body by publishing its intention in the Government Gazette for thirty (30) days;
 - through a peer-review mechanism, periodically monitor recognised professional bodies for continued compliance;
 - investigate an alleged lack of compliance with the *2019 Amended P&C for professional bodies*, and give due notice to the professional body concerned. In the case of a statutory body, SAQA will also notify the relevant Minister; and
 - charge professional bodies a cost recovery fee for all services rendered, including instances where SAQA is forced to incur unnecessary and wasteful expenditure because of delays and lack of compliance by the professional body concerned.
16. In meeting the *2019 Amended P&C for professional bodies*, a recognised professional body may:
- register its employees on learnerships;
 - act as a workplace provider for the delivery of learnerships;
 - recognise suitable workplaces and be involved in the assessment of workplace experience;
 - recognise suitable education and training providers and be involved in the curricula of learning programmes offered by education and training providers; and
 - set and administer its own Board examinations.
17. In meeting the *2019 Amended P&C for professional bodies*, a recognised professional body may neither be accredited as an education and training provider by a QC, nor be registered as an education and training provider with the Department of Higher Education and Training.
18. International Professional bodies operating in South Africa must meet South African requirements as outlined in this *2019 Amended P&C for professional bodies*, including the data requirements.
19. A body that meets the criteria for recognition as a professional body, by SAQA, will be recognised for an initial period of five (5) years.
20. Professional body recognition is renewable for subsequent five (5) year periods, subject to the favourable outcome of a monitoring and evaluation process conducted by SAQA.
21. The SAQA Board may renew the recognition period of a professional body to conclude the renewal of recognition process.

22. SAQA may withdraw the recognition status from a professional body if:
- a. the body no longer complies with this *2019 Amended P&C for professional bodies*; or
 - b. the professional body ceases to exist; or
 - c. the professional body fails to pay the fees for the services rendered.
23. SAQA will inform the relevant Minister, in the case of recognised statutory professional bodies, before withdrawing the recognition status of such bodies.
24. If a professional body loses its recognition status, its professional designations will be removed from SAQA records. In this regard:
- a. The records of the holders of the designation will reflect the date of deregistration; and
 - b. No new records will be added against the designation.
25. A professional body has the right to appeal if it:
- a. has its recognition status withdrawn; or
 - b. was declined recognition as a professional body.
26. A professional body may appeal within a period not exceeding sixty (60) working days from the date of notification by SAQA.
27. SAQA will publish the withdrawal of the recognition status of a professional body in the Government Gazette and on the SAQA website. These means will be considered sufficient communication regarding this change in status to the specific community of practice and the wider society.

Criteria for the recognition of professional bodies

28. A body applying to be recognised as a professional body by SAQA will:
- a. be a legally constituted entity registered with the Companies and Intellectual Property Commission as a non-profit company (NPC) or with the Department of Social Development as a non-profit organisation (NPO). This entity must not be registered as a profit-making company;
 - b. be governed either by a statute, charter or a constitution and be compliant with, and adhere to, good corporate governance practices;
 - c. have the necessary human capacity to undertake its functions;
 - d. have the necessary financial resources to undertake its functions and be sustainable;
 - e. apply fair, non-exclusionary practices in the awarding of its designations;
 - f. have a policy to award, monitor and revoke its professional designations in terms of its own rules, legislation and/or international conventions;
 - g. have an RPL policy to award designations for members who do not have the required underlying qualification;
 - h. submit to SAQA a simple list of all their members. In this regard, professional bodies must:

- i. have a database of individual members;
 - ii. clearly define membership in terms of designated and non-designated members;
- i. submit a list of designated members, in a form acceptable to SAQA, for uploading to the National Learners' Records Database (NLRD);
- j. make career advice related information available to SAQA; and
- k. publish a code of conduct and operate a mechanism for reporting and investigating members who have allegedly contravened the code, and protect the public interest in relation to services provided by its members and the associated risks.

Policy for the registration of professional designations

- 29. A professional designation is conferred by a professional body to an individual in the form of a title, status and/or registration number.
- 30. The nomenclature for professional designation titles must be approved by SAQA.
- 31. A professional designation indicates registration of the individual with a professional body, and, where relevant, the right to practise in the particular field of expertise governed by the professional body. Retention of the designation is dependent upon compliance with the stated requirements of the professional body concerned.
- 32. A professional designation must be registered in the designated register for this purpose, separately from a qualification.
- 33. Only professional bodies recognised by SAQA may apply to SAQA for the registration of their professional designations.
- 34. A professional designation can be revoked in terms of the rules, legislation and/or international conventions of the recognised professional body.
- 35. The same professional designation cannot be registered by more than one recognised professional body in South Africa.
- 36. In order to be registered by SAQA, professional designations awarded through international awarding bodies must meet South African requirements as outlined in this *2019 Amended P&C for professional bodies*.
- 37. Verification queries related to professional designations are the exclusive responsibility of the relevant professional body.
- 38. SAQA will solicit public comments by publishing, in the Government Gazette, for thirty (30) days, its intention to register a professional designation.

39. The registration of a professional designation by SAQA will only be valid for as long as the professional body conferring the designation is recognised by SAQA.
40. SAQA will deregister a professional designation if the:
- a. professional body which submitted the designation for registration no longer complies with this *2019 Amended P&C for professional bodies*, and/or
 - b. professional designation no longer complies with this *2019 Amended P&C for professional bodies*.
41. A recognised professional body that has its professional designation(s) deregistered or declined for registration has the right to appeal to SAQA. The appeal must be lodged within a period not exceeding sixty (60) working days from the date of notification by SAQA.
42. Following the deregistration of a professional designation, the relevant professional body must communicate the deregistration to individuals holding the designation.

Criteria for the registration of professional designations

43. In order for a professional designation to be registered it must:
- a. be submitted to SAQA by a recognised professional body in accordance with an application process determined by SAQA;
 - b. be developed, conferred, monitored and subject to revocation in terms of the rules, legislation and/or international conventions applicable to the recognised professional body;
 - c. be part of a progression pathway which may include an occupational pathway;
 - d. be linked to a validated database of the names of individuals who have been conferred the professional designation;
 - e. include, as an initial requirement, an underlying qualification or qualifications, which may be of an occupational nature;
 - f. include, as general requirements, experiential learning, RPL and/or practical experience; and
 - g. include, as retention requirements, both CPD and adherence to a code of professional ethics/ conduct.
44. If an individual holds a foreign qualification and applies for a professional designation, the professional body concerned must ensure that SAQA has evaluated the foreign qualification and found it to be comparable to the South African qualification underlying that professional designation.
45. This *2019 Amended P&C for professional bodies* will be reviewed procedurally after five years or earlier if necessary.