

The Access to Higher Education Conditions

May 2025

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The Access to Higher Education Conditions

Introduction

1 The Quality Assurance Agency for Higher Education ('QAA') is the regulator of the Access to Higher Education (HE) Diploma ('the Diploma') and is responsible in its charitable objects to provide advice to governments on Diploma recognition. QAA also registers and holds the Access to HE logo trademark and Access to HE word trademark (together the 'Access to HE Trademarks'), which are the trademarks associated with the Diploma.

2 In maintaining the means through which the Diploma is recognised by governments for funding, QAA operates the QAA Recognition Scheme for Access to HE ('the Recognition Scheme'). The Recognition Scheme refers to QAA's arrangements for exercising its responsibilities in respect of the Diploma, and includes a framework of requirements set out in documentation through which QAA permits Access to HE Diploma courses to be developed, validated and approved, and Diplomas awarded, by Access Validating Agencies ('AVAs') under licence (the 'Licence').

3 QAA will award and permit AVAs to maintain their Licence for these purposes on the basis that they agree to adhere to QAA's requirements in relation to the Diploma as set out in the following documents which make up the Recognition Scheme:

3.1 **The Standard Terms for the Licensing of Access Validating Agencies** ('Terms') which set out the terms that AVAs must agree to in order to become an AVA and maintain its Licence.

3.2 **These Access to HE Conditions** ('Conditions') which are the obligations an AVA must comply with (or demonstrate its ability to comply with) to become an AVA and to continue to comply with to maintain its Licence.

4 Certain conditions refer to detailed requirements, expectations or arrangements which are set out in further documentation within the Recognition Scheme. This includes *The Access to HE Monitoring Arrangements*, *The Access to HE Grading Scheme*, *The Access to HE Diploma Specification* and Subject Descriptors. It also includes additional guidance which QAA may issue which sets out further information about how QAA may assess compliance with the condition, or to assist AVAs' interpretation of the requirements.

QAA's principles and approach

5 The Conditions are intended by QAA to be predominantly based on QAA's principles for the regulation of the Diploma, and these principles govern the aims of QAA's monitoring and regulatory activity. These principles are:

To maintain the integrity of the Diploma

- 5.1 We regulate in the interests of the students undertaking the qualification to ensure that each instance of delivery of an Access qualification maintains the general standards we specify, that quality is ensured and assured, and that the content and delivery of the qualification is fit for purpose.

To support students to progress to and succeed in higher education

- 5.2 Our regulation aims to ensure that students who complete the qualification have the opportunity to both secure a place on a higher education course and succeed in their undertaking of the course.

To ensure the relevance of the Diploma and support its growth

- 5.3 This principle aligns with QAA's wider strategy – specifically, our focus area regarding securing academic standards and the value of qualifications.

6 QAA's regulatory approach looks to ensure effective regulation of the Diploma while taking into account the operating context specific to the AVA and its Providers. When considering an AVA's compliance with the Conditions and other requirements, QAA recognises that what this looks like in practice may differ from one AVA to another and we would expect AVAs to operate in the manner which best suits their organisation whilst maintaining compliance with QAA's requirements as an outcome of that operation. This should enable AVAs to operate in diverse and innovative ways which supports the growth of the Diploma. Further information about QAA's approach to monitoring and assessment can be found in *The Access to HE Monitoring Arrangements*.

Key definitions

Access Validating Agency (AVA)

An organisation licensed by QAA to validate Access to HE courses and award Diplomas to students on completion of their studies.

Provider

An education provider which is approved by an AVA to deliver its Access to HE courses to students.

Access to HE course

An Access to HE course is a named course that has been approved for delivery by a particular Provider and is listed on QAA's Access Course Database and leads to the award of a Diploma by an AVA. An Access to HE course is therefore unique to a particular Provider, even where the requirements which lead to the award of a Diploma are the same as those on one or more other courses. A course is also the product or service for which the student enters into an agreement with the Provider.

Diploma

Diploma means an award that is a full Level 3 post-16 qualification (equivalent to A-levels and T-levels) primarily focused on providing adult learners who wish to enter higher education the necessary qualifications in the subject area they wish to follow. If taken as a full-time course, it can be completed in one year. On completion of a Diploma, students may go on to study at a higher level with a higher education provider – which could be a degree or other higher-level qualification at Level 4 or above.

Individual Diplomas are separately defined: they are titled according to their subject focus, and the required learning for each Diploma is indicated through the units of assessment specified in its rules of combination. The term is used to refer to both the qualification itself and the learning requirements that lead to its award. (Further details are provided in *The Access to Higher Education Diploma Specification*.) A Diploma may be delivered by one, or more than one, Provider.

Responsible Officer

A senior officer at the AVA, who should normally be the chief executive or equivalent. A Responsible Officer who is not the most senior officer of the AVA would only be accepted by QAA where there is sufficient reason for this – for example, if the AVA has a number of activities not all of which are related to Access to HE, and there is a senior officer who is not the chief executive but is responsible for Access to HE activities. This person is the primary and authoritative point of contact between the AVA and QAA.

Strategic Statement

Required by Condition A2, the strategic statement is a publishable explanation of the AVA's purpose, goals and approach to securing those goals, in relation to the Diploma which covers the term of an AVA's licensing period.

Annual Statement of Compliance

Confirmation made by the AVA to QAA in the course of general monitoring processes that the AVA has considered the requirements of, and believes itself to be compliant with, the requirements of its AVA Licence and the Recognition Scheme.

Regulatory Document

Regulatory document may refer to any one of the following documents that form part of the Recognition Scheme:

- the Standard Terms for the Licensing of Access Validating Agencies;
- these Conditions;
- the Licensing Arrangements – this refers to the arrangements QAA has in place for the award, withdrawal and surrender of Licences, as set out in *The Access to HE Licensing Arrangements*;
- the Monitoring Arrangements – these are the arrangements QAA operates to monitor and make judgements about whether an AVA is meeting the requirements of the Recognition Scheme, as set out in *The Access to HE Monitoring Arrangements*. This also includes information on the approaches QAA may take where it has concerns about an AVA's compliance with its requirements;

- the qualification requirements – these requirements are set out in *The Access to HE Diploma Specification*, *The Access to HE Grading Scheme* and the Subject Descriptors. *The Access to HE Diploma Specification* and *The Access to HE Grading Scheme* set out QAA's requirements for the design, delivery, assessment and award of Diplomas. The Subject Descriptors set out requirements for the content of particular subject areas. Together, these qualification requirements ensure consistency across the qualification, and across AVAs; and
- any guidance document relating to the Recognition Scheme as produced and issued by QAA and indicated as being a Regulatory Document.

Validation and approval

Validation refers to the process whereby an AVA ensures that Access to HE courses meet the standards and requirements set out in Terms, the Conditions and QAA's Regulatory Documents. **Approval** is the outcome of this process where the AVA is satisfied that the requirements are met.

Validity and reliability

Valid means standards of awards are consistent with the external reference points for the Diploma (that is, grades given to assessed work reflect the standard of achievement defined by the unit's learning outcomes and the grade components and sub-components that are applied from the grading standards).

Reliable means consistent standards are operated in the award of grades by individual tutors, within course teams and between Providers across the AVA as a whole, and over time (that is, the same grade(s) is/are given where comparable standards of performance have been demonstrated).

Final Awards Board

The Final Awards Board (FAB) is an awarding board within the AVA which holds delegated authority from the most senior body within its governance structure to make decisions about the award and certification of the Diploma.

Part 1: The AVA

Section A: Management, governance and strategy

Condition A1: Governance arrangements

1 An AVA must have in place and maintain governance structures that are responsible for ensuring the effective discharge of its responsibilities in respect of:

- 1.1 the Standard Terms for the Licensing of Access Validating Agencies;
- 1.2 the Access to Higher Education Conditions; and
- 1.3 the other Regulatory Documents.

Condition A2: Accountability

2 The AVA's most senior body within its governance structure must have overall responsibility for adherence with all requirements of the Recognition Scheme and ensuring that the organisation meets its responsibilities as an AVA. This body has direct responsibility, which **may not** be delegated, for the formal approval of the annual AVA statement of compliance to QAA.

3 The following responsibilities for formal approval also sit with the AVA's most senior body, but **may** be delegated to another body or person:

- 3.1 the formal approval of any written submission required by QAA for the process of AVA monitoring;
- 3.2 the formal approval of formal statements to QAA about how the AVA has addressed requirements for the renewal of the AVA Licence, or any other queries formally raised by QAA about the AVA's compliance with the Access to Higher Education Conditions; and
- 3.3 the formal approval of the AVA's Strategic Statement.

4 The senior body must also ensure the following responsibilities are undertaken within the AVA:

- 4.1 the granting or withdrawal of approval of Providers, Diplomas and Access to HE courses;
- 4.2 the assurance of quality and standards on Diplomas and Access to HE courses;
- 4.3 investigation of Providers where there are matters of potential or actual non-compliance with the requirements of the Recognition Scheme (including when directed to do so by QAA);
- 4.4 the operation of a complaints and appeals scheme to address both student and Provider complaints;
- 4.5 procedures for the award and certification of Diplomas; and
- 4.6 dissemination of the outcomes of both QAA and AVA-led monitoring processes, and their use to enhance the AVA's Access to HE provision.

A2.1 - Responsible Officer

Appointing a Responsible Officer

5 An AVA's most senior body within its governance structure must nominate to QAA a senior officer to act as its Responsible Officer.

6 An AVA must notify QAA when it nominates a new Responsible Officer in line with the reporting timelines set out in the QAA guidance document *Regulatory Guidance: Accountability*.

The role of the Responsible Officer

7 The Responsible Officer will act as the primary point of contact between the AVA and QAA in relation to all activities undertaken by the AVA in accordance with the Recognition Scheme.

8 In particular, the Responsible Officer shall be responsible for:

- 8.1 making statements to QAA (other than any which is required by QAA to be made by the AVA's most senior body) that QAA will be entitled to rely on as being accurate and made on behalf of the AVA; and
- 8.2 ensuring that where QAA issues the Responsible Officer a statement, request or notice addressed to the AVA, QAA will be entitled to treat that statement, request or notice as having been given to the AVA.

A2.2 - Strategic Statement

9 The AVA must have a Strategic Statement approved by QAA regarding its role as an AVA. In preparing its Strategic Statement, the AVA must secure, and through the content of its Strategic Statement demonstrate, the input of:

- 9.1 Providers; and
- 9.2 other higher education providers in the UK.

10 The Strategic Statement must be prepared in a format and following any guidance specified by QAA (which may be updated from time to time) and must be submitted for approval by QAA:

- 10.1 whenever the AVA applies or is required to apply for a renewal of its AVA Licence;
- 10.2 at any other time where the AVA makes a decision that would affect the contents or accuracy of an existing approved Strategic Statement; or
- 10.3 at any point as determined and requested by QAA and communicated to the AVA as a written request.

A2.3 - Annual Statement of Compliance

11 An AVA must make an Annual Statement of Compliance to QAA. The Annual Statement of Compliance must be:

- 11.1 made in the format specified and on any date, as may be notified to the AVA by QAA;
- 11.2 accurate and contain all relevant information as requested by QAA;

- 11.3 considered and approved by the AVA's most senior body within its governance structure; and
- 11.4 signed by the Chair of the AVA's most senior body within its governance structure and the Responsible Officer.

Condition A3: Finance and resources

A3.1 - Ensuring the ability to develop and award qualifications

12 An AVA must ensure that it has, in QAA's reasonable opinion, sufficient resources in place to develop, validate, approve and award Diplomas.

A3.2 - Ensuring financial viability

13 An AVA must ensure that it has, in QAA's reasonable opinion, sufficient financial resources and facilities to develop and award Diplomas, and undertake all other relevant and associated activities, until at least the time at which every student enrolled with any Provider on an Access to HE course validated by the AVA has had an opportunity to complete their course in accordance with the normal practice of the AVA (which shall include any resubmission or referral opportunities, as set out in *The Access to HE Grading Scheme*).

14 The AVA's financial statements must be externally scrutinised through a full annual audit by an auditor who is listed on the Register of Statutory Auditors and who is independent of the preparation of the AVA's accounts and financial statements.

15 Audited financial statements for each year must be prepared on the basis of the Financial Reporting Standards 102 (FRS 102), or the International Financial Reporting Standards (IFRS), if applicable.

Condition A4: Identification and management of risk

16 An AVA is required to have in place risk management tools and processes that facilitate risk assessment activities and the development and, where necessary, implementation of contingency plans that, in QAA's reasonable opinion, protect the interests of students in the context of business failure of the AVA, business failure of an approved Provider, and the withdrawal of Provider or Access to HE course approval.

17 An AVA must provide within five working days such information about its risk assessment activities as QAA may request.

Condition A5: Complaints and appeals

18 An AVA is responsible for ensuring that its complaints and appeals scheme is followed in practice. The process for dealing with complaints and appeals should be set out in documentation that is published and made available to both students and Providers. These documents should ensure that:

- 18.1 the information provided to complainants or appellants clearly sets out the process that the AVA will follow when dealing with a complaint or appeal, including expected timeframes for consideration and resolution; and
- 18.2 the individuals charged with deciding the outcome of the appeal or complaint have appropriate authority, were not involved in the incident that is the subject of the complaint or appeal, were not involved in deciding the outcome of the complaint where

an appeal has subsequently been made and have no vested interest in the outcome;
and

- 18.3 the process(es) that an AVA will follow when dealing with a complaint or appeal are compliant with the requirements of all legislative provisions should any apply.

Condition A6: Compliance with regulatory requirements

Condition A6.1 - The Regulatory Documents

19 Where the Terms, the Conditions or another Regulatory Document requires an AVA to take, or avoid taking, any action, the AVA must comply with that requirement. Where a Regulatory Document sets out guidance or principles of good practice, an AVA must have regard to the guidance or principles in undertaking its responsibilities as an AVA.

20 From time to time, QAA may issue a document to an individual AVA as a form of notice, requiring compliance with any or all of the requirements of the Recognition Scheme, a specific condition, and/or a suspension or restriction of an AVA's Licence (or any element of a Licence). Any such document is to be treated as a Regulatory Document that must be complied with.

Condition A6.2 - Access to HE Trademarks

21 An AVA must ensure that it uses the Access to HE Trademarks and compliance marks in line with the requirements specified in the *Requirements for the Use of Access to HE Trademarks*.

Condition A7: Student registration

22 An AVA is responsible for ensuring that students undertaking any Access to HE course, whatever their mode of study, are:

- 22.1 registered with an AVA to a QAA-recognised Diploma no later than six weeks (42 days) from the student start date on the Access to HE course, or eight weeks (56 days) for students studying at a Provider in Wales or in receipt of Welsh Government funding;
- 22.2 registered for units to the value of 60 credits no later than 12 weeks (84 days) from the start date of the Access to HE course, or before the student makes a formal application to a higher education course – whichever date occurs first;
- 22.3 registered and certificated for units to a maximum value of 60 credits;
- 22.4 registered for at least one 6 or one 9-credit unit as part of their Diploma; this may be a graded or ungraded unit; and
- 22.5 registered for no more than the maximum of 30 credits that can be made up of 6 or 9-credit units; graded and ungraded 6 and 9-credit units count towards the maximum.

Section B: Monitoring and information provision

Condition B1: Notification to QAA of certain events

23 An AVA must notify QAA when it has reason to believe that any notifiable event has occurred or is likely to occur. A notifiable event is any actual or potential incident that, in the reasonable judgement of QAA, negatively affects or could negatively affect:

23.1 an AVA's ability to meet the Terms;

23.2 an AVA's ability to comply with these Conditions; or

23.3 an AVA's ability to comply with any or all of the rest of the requirements set out in the other Regulatory Documents.

24 QAA will set out in separate guidance from time to time, further information about the types of incidents that could be a notifiable event, the types of incidents that will always be a notifiable event and requirements for the timing of reporting and the information to be provided by an AVA.

Condition B2: Notice to provide information to QAA

25 Where QAA issues a written notice to an AVA requiring the AVA to provide QAA with any information that it seeks for the purpose of performing any function in relation to the operation of the Recognition Scheme, the AVA must:

25.1 comply with the terms of the notice; and

25.2 ensure that all information provided to QAA in response to the notice is accurate and complete.

26 Any such notice may include terms which:

26.1 specify the time within which the information is to be provided;

26.2 specify a form in which the information is to be provided;

26.3 specify the manner in which the information is to be provided;

26.4 require that the information required is accompanied by supporting documents or data as may be described; and

26.5 require an AVA to provide information which is already in its possession, or which has to be created or obtained by it for the purposes of compliance with the notice.

Condition B3: QAA monitoring of AVAs

27 An AVA will be subject to and expected to comply with the requirements of monitoring activities as directed by QAA and which are set out in *The Access to HE Monitoring Arrangements*. In reviewing information submitted by an AVA as part of any such monitoring activities, QAA will form a judgement on whether the AVA is meeting the requirements of the Recognition Scheme.

28 In undertaking any such monitoring activities an AVA must:

28.1 provide QAA with such information as QAA specifies at the time and in the manner and form specified; and

28.2 comply with reasonable requests made by QAA to cooperate with any monitoring activity, in particular, but not limited to, providing explanations or making documents available to QAA or making members of staff available to meet with QAA.

29 QAA will set out in separate guidance from time to time, further information about the reporting points and requirements of all QAA monitoring activity.

Condition B4: Information and data submission requirements

30 An AVA must provide QAA, when requested, with individual student data and Access to HE course data for the purpose of assisting QAA in performing any function in relation to the operation of the Recognition Scheme which shall include, but are not limited to:

30.1 assessing the performance of AVAs in approving and validating Diplomas;

30.2 ensuring provision that is, in QAA's reasonable opinion (and as may be specified from time to time in guidance), of high-quality for all Access to HE course students and that it supports them to access higher education; and

30.3 understanding patterns of student enrolment, achievement and progression.

31 Where an AVA is required to submit any information or data to QAA, it is responsible for ensuring that the information or data supplied is:

31.1 accurate and complete;

31.2 provided by the time specified;

31.3 provided in the manner specified; and

31.4 provided in the form specified.

Condition B5: AVA monitoring of records

32 An AVA is responsible for:

32.1 maintaining a complete and up-to-date record of Access to HE courses offered by its Providers;

32.2 ensuring that QAA's Access Course Database is kept up to date in line with QAA's requirements, with any necessary amendments made within five working days of the change being implemented or immediately if the change relates to the withdrawal of Provider approval; and

32.3 recording and retaining accurate records of its award of grades, credits and Diplomas.

33 An AVA will be expected to make its records available for inspection by QAA on request.

Part 2: Providers approved to deliver the Access to HE courses

Section C: Provider and course recognition

Condition C1: Provider approval

C1.1 - Process for approval

34 An AVA must have in place and implement a documented procedure for the approval of Providers to deliver Access to HE courses. This procedure must include a requirement for a Provider approved to deliver Access to HE courses to have:

- 34.1 a main base, which is in the UK, Channel Islands or Isle of Man;
- 34.2 systems to ensure that only students with a UK (including British Forces Post Office), Channel Islands or Isle of Man address are registered for an Access to HE course;
- 34.3 governance structures that are responsible for ensuring the effective discharge of its responsibilities as an approved Provider and in line with the requirements of the Recognition Scheme; and
- 34.4 arrangements for internal moderation, standardisation, monitoring and quality assurance procedures for the delivery of provision.

C1.2 - Requirement for an agreement between the AVA and Provider

35 An AVA should ensure that the arrangements between it and the Provider include a written enforceable agreement. The agreement should include provisions which:

- 35.1 require the Provider to deliver recognised Access to HE courses in accordance with the Recognition Scheme and the AVA's moderation, standardisation, monitoring and quality assurance procedures;
- 35.2 require the Provider to market recognised Access to HE courses in a clear and transparent way – including, but not limited to, providing information on appropriate entry requirements and funding status and in accordance with relevant consumer protection law and guidance;
- 35.3 set out the requirements with which the Provider must comply and continue to comply in order to deliver Access to HE courses;
- 35.4 establish a sanctions policy to be applied in the event that the Provider fails to comply with these requirements, including having in place arrangements that would permit the communication regarding any sanctions applied to be shared with third parties;
- 35.5 require the Provider to operate an appeals and complaints handling procedure for the benefit of students;
- 35.6 set out any arrangements in relation to scrutiny of Provider assessment standards that the AVA will undertake or that will be undertaken on its behalf, and require the Provider to retain any data that the AVA considers necessary to allow it to undertake that scrutiny effectively;
- 35.7 specify a process to be followed in any withdrawal of the Provider (whether voluntary or not) from its role in the delivery of Access to HE courses;

- 35.8 require the Provider to take all reasonable steps to protect the interests of students in the case of such a withdrawal; and
- 35.9 set out that a condition of Provider approval is that the Provider acknowledges and agrees that any Access to HE course that it develops cannot be transferred from one AVA to another (see Condition D4).

C1.3 - Confirmation of Provider approval

36 Before a Provider is permitted to deliver all or any part of any Access to HE course for which it is approved, the AVA must ensure that the course(s) are listed on the QAA's Access Course Database.

37 QAA will treat any such update to QAA's Access Course Database as a notification that the AVA has confirmed Provider approval for the delivery of named Access to HE courses.

Condition C2: Ongoing monitoring of Providers

38 An AVA is responsible for having in place and implementing documented procedures for monitoring both Provider performance and its compliance with QAA's requirements in relation to:

- 38.1 the Diploma Specification;
- 38.2 the Grading Scheme;
- 38.3 the Subject Descriptors, where applicable;
- 38.4 the use of the Access to HE Trademarks and compliance marks as set out in the Regulatory Document *Requirements for the use of Access to HE Trademarks*; and
- 38.5 any other guidance issued by QAA from time to time which is specified to be of relevance to Providers.

39 An AVA must be able to effectively demonstrate to QAA how the AVA is ensuring it complies with these Conditions through its operation and implementation of a Provider approval process and monitoring procedures.

40 The Provider monitoring procedures should include details of:

- 40.1 how an AVA will risk assess each Provider;
- 40.2 the actions an AVA will take to remedy any incidence of non-compliance with the requirements it places on a Provider; and
- 40.3 the student protection measures an AVA will implement to ensure students' continuation of study in the event of Provider failure, withdrawal of Provider approval, and withdrawal of Access to HE course approval.

41 An AVA should also set out the sanctions it may impose to mitigate potential risk to students in cases of non-compliance by a Provider. These sanctions will include amending, suspending or withdrawing approval from a Provider, or for a specific Access to HE course. Sanctions may also include enhancements or additions to the terms of Provider approval.

42 Where an AVA imposes a sanction in line with the preceding Condition it shall promptly notify any other AVA with which that Provider is also offering Access to HE courses.

Part 3: Validation, approval and delivery of the Diploma

Section D: Development of Diplomas

Condition D1: Content and structure of Diplomas

D1.1 - Compliance with the Recognition Scheme

The Access to Higher Education Diploma Specification

43 An AVA must ensure that the content and structure of Diplomas meet the requirements as set out in each section of *The Access to Higher Education Diploma Specification*:

- 43.1 qualification characteristics;
- 43.2 specification for the achievement of the Diploma;
- 43.3 additional requirements for the achievement of a named Diploma;
- 43.4 Diplomas and units;
- 43.5 rules of combination;
- 43.6 other successful completion criteria;
- 43.7 credit accumulation;
- 43.8 recognition of student achievement; and
- 43.9 development of Diplomas.

The Access to Higher Education Grading Scheme

44 An AVA must ensure that the content, structure and delivery of Diplomas meet the requirements as set out in each section of *The Access to Higher Education Grading Scheme*:

- 44.1 core principles;
- 44.2 the grades and grading standards;
- 44.3 using the grading standards in assessment;
- 44.4 moderation and standardisation; and
- 44.5 awarding the Diploma.

Access to Higher Education Subject Descriptors

45 Where applicable, an AVA must ensure that the content and structure of Diplomas meet the requirements as set out in the relevant *Access to Higher Education Diploma Subject Descriptor*.

D1.2 - Accessibility of Diplomas

46 As an awarding body, an AVA must ensure that the content, structure and delivery, in as far as it is responsible, of a Diploma complies with relevant provisions of the *Equality Act 2010*.¹

47 An AVA must monitor the Diplomas it makes available for any feature which could disadvantage students with one or more protected characteristic(s).

48 Where an AVA identifies such a feature it must consider its duty under the *Equality Act 2010* to make reasonable adjustments.

D1.3 - Modifications to units and Diplomas

49 An AVA should have a documented procedure in place for managing modifications to units and Diplomas. The procedure must:

49.1 comply with the relevant provisions of the *Consumer Rights Act 2015*² where changes will affect students currently studying on a Diploma;

49.2 include communication with students, where changes will affect students currently studying on a Diploma;

49.3 include a mechanism for relevant parties (such as Providers and moderators) to suggest modifications;

49.4 differentiate between major and minor modifications; and

49.5 include consultation with relevant parties (such as Providers, moderators and receiving higher education institutions).

50 Once modifications are approved, the AVA should ensure that all Providers delivering the relevant Diploma(s) are notified of the amendments immediately.

Condition D2: Approval and ongoing validation of Diplomas and Access to HE courses

D2.1 - Initial approval and validation of Diplomas and Access to HE courses

Access to HE Diploma Validation

51 An AVA must have in place and implement a clearly documented procedure for the validation of a Diploma. The procedure should include:

51.1 specifications for the form and content of documentation to be submitted for Diploma validation; and

51.2 details on the processes and requirements for each stage of the validation process leading to Diploma recognition.

52 The AVA should have validation criteria which ensure, for a Diploma to be validated:

¹ www.legislation.gov.uk/ukpga/2010/15/contents

² www.legislation.gov.uk/ukpga/2015/15/contents

- 52.1 it complies with the requirements set out in these Conditions, *The Access to Higher Education Diploma Specification* and *The Access to Higher Education Grading Scheme* and, where relevant, *Access to Higher Education Subject Descriptors*; and
- 52.2 its intended potential progression route(s) in higher education are clearly stated, and the subject coverage, level and structure of the content, and choice of options where they are available, are appropriate as a preparation for that/those route(s).
- 53 The validation process should include the use of a validation panel to scrutinise the proposals and should be applied to:
- 53.1 Diplomas developed by an AVA for subsequent delivery by approved Providers; and
- 53.2 Diplomas developed by approved Providers.
- 54 The membership of the validation panel should jointly provide relevant experience and expertise in:
- 54.1 the delivery and assessment of Diplomas; and
- 54.2 curriculum knowledge relevant to the Diploma(s) and all units being considered;
- 54.3 the delivery of higher education programmes in subject areas indicated as intended progression routes for the Diploma(s) being considered; and
- 54.4 the admission requirements for the intended higher education progression routes.

Access to HE course

55 Where an approved Provider is seeking approval to run Access to HE courses based on an AVA-developed Diploma, course approval procedures and criteria must ensure the Provider is able to deliver such Access to HE courses in accordance with the specifications and requirements of the validated Diploma.

Granting approval

- 56 Where an AVA grants approval of a Diploma with conditions, the AVA should confirm:
- 56.1 that the conditions ensure that the Diploma meets the AVA's validation criteria in full; and
- 56.2 the date by which any conditions must be met (which must be before the start date for the first planned delivery of the Diploma by any Provider) and the process for confirming that they have been met.

Validation period

57 The validation period should be for a period of no more than five years from the date of initial approval, and the initial approval should include a forward schedule of revalidation for Diplomas. Where exceptional circumstances require an extension to the standard period, the extended validation period should not normally be extended by more than one year. Such extension can only be granted with approval of QAA.

- 58 Once validation has been granted and formally recorded, an AVA should:
- 58.1 inform Providers that a new Diploma is available (for Diplomas developed by an AVA); and

58.2 update the QAA Access Course Database.

D2.2 - Revalidation of a Diploma

59 An AVA should have a revalidation process and criteria which are in line with the requirements for initial Diploma validation.

60 The revalidation process should include the use of a validation panel to scrutinise the Diploma against a set of standard criteria and should be applied to:

60.1 Diplomas developed by an AVA for subsequent delivery by approved Providers; and

60.2 Diplomas developed by approved Providers.

D2.3 - Quality assurance

61 An AVA should have in place clearly documented quality assurance arrangements that allows it to approve and monitor the delivery and quality of Diplomas offered by:

61.1 Providers who are subject to external inspection; and

61.2 Providers who are not subject to external inspection.

62 These arrangements should allow an AVA to ensure that the experience of students registered on Access to HE courses at Providers not subject to external inspection is:

- **equitable** – at least of an equivalent quality to the experiences of students studying at organisations subject to external inspections by other bodies;
- **consistent** – delivery of the programme of study is provided by qualified teachers and is at least comparable to that at other organisations delivering the AVA's Diplomas; and
- **robust** – the educational experience is at least as secure as for those students studying at traditionally funded organisations.

Condition D3: Provider and Diploma withdrawal

D3.1 - Withdrawal of an Access to HE Diploma

63 If a Diploma is to be withdrawn at or before the end of its validation period, an AVA must inform Providers of the final date on which new starters may be enrolled, allowing reasonable time for registered students to complete the course or transfer to another appropriate course. If appropriate, arrangements should be made for transfer of credit.

D3.2 - Provider withdrawal

64 In the event that the Provider withdraws from its role in delivering the Access to HE course(s), the AVA must take all reasonable steps to protect the interests of students.

Condition D4: Diploma and Access to HE course transfers

Provider-developed Diplomas and Access to HE courses

65 It is a condition of Provider approval for a Provider to acknowledge and agree that any Diploma or Access to HE course it develops cannot be transferred from one AVA to another (see Condition C1.2).

66 The AVA must ensure that where a Provider wishes to deliver an Access to HE Diploma course from another AVA where the Diploma title is identical, the Provider makes arrangements to withdraw its provision from the current AVA and undertakes a Provider approval and validation process with the new AVA.

67 Where an AVA has imposed a sanction on a Provider in line with Condition C2 at the point of transfer, it shall notify the receiving AVA of this sanction.

AVA-developed Diplomas and Access to HE courses

68 An AVA can transfer a Diploma it has developed to another AVA. In undertaking the process of a transfer, both AVAs are responsible for ensuring that:

- 68.1 the receiving AVA is able to provide adequate and appropriate quality assurance arrangements, staff development and support for Diploma(s) and/or Access to HE course(s) to be transferred;
- 68.2 the receiving AVA has the resources to undertake the revalidation of the Diploma(s)/Access to HE course(s) through its usual validation procedures before the transferred Diploma(s)/Access to HE course(s) reach the end of the current period of validation;
- 68.3 the receiving AVA is able to support the continuing study and achievement of students part way through an Access to HE course and arrangements for continuation that meets the needs of students is confirmed for those students part way through a course; consent to a change of contract has been obtained in line with the relevant provisions of the *Consumer Rights Act 2015*³;
- 68.4 appropriate arrangements have been made for the transfer of any records of assessment and achievement for students registered on an Access to HE course at point of transfer; and
- 68.5 sufficient regard to Intellectual Property law and any Intellectual Property rights assigned to the Diploma(s) and/or the Access to HE course(s) being transferred has been given by both the transferring and receiving AVA.

³ www.legislation.gov.uk/ukpga/2015/15/contents

Section E: Setting, delivering and moderating assessments

Condition E1: Operationalising standardisation and moderation

69 An AVA must have in place and implement clearly documented standardisation and moderation procedures that ensure a common overall approach to assessment and grading and consistent standards in the awarding of grades on the Diploma.

70 These procedures should ensure that the AVA is operating in line with the requirements of *The Access to HE Grading Scheme*, and cover all aspects of assessment design and practice, including:

70.1 unit design;

70.2 assessment strategy at course level;

70.3 assessment design at unit level;

70.4 assessment decisions;

70.5 moderator decisions; and

70.6 resubmissions and referrals.

71 In designing and operating its own mechanisms for moderation and standardisation, an AVA should ensure that it takes account of the need for:

71.1 standardisation within Providers;

71.2 standardisation between Providers; and

71.3 moderation standardisation.

72 An AVA's standardisation mechanisms should be designed to secure assessments (including grading) judgements that are **valid** and **reliable** and allow for:

72.1 moderators' engagement with assessment and grading decisions before a student has completed 30 credits of study; and

72.2 moderators to advise on and challenge provisional grades, where required.

73 Tutors and internal and external moderators should also have the opportunity to discuss and calibrate their expectations relating to the standards of assessed student work expected by:

73.1 the requirements of any assessed work set at the equivalent of Level 2 or Level 3 of the Regulated Qualifications Framework for England and Northern Ireland or the Credit and Qualifications Framework for Wales;

73.2 the learning outcomes and assessment criteria of the specific units with which they work; and

73.3 the grading standards.

74 An AVA should make all reasonable efforts, and ensure that its Providers have the opportunity where applicable, to participate in activities at the request of QAA which are

intended to promote and ensure the validity, reliability and consistency of standards in the application of *The Access to HE Grading Scheme*.

Condition E2: Assessment design

75 An AVA should ensure that the content of the assessment:

75.1 is appropriate for the method and medium of delivery;

75.2 provides an appropriate level of academic demand;

75.3 provides opportunities, appropriate to the mode of study, for students to achieve the learning outcomes and assessment criteria of the unit;

75.4 provides opportunities for differentiation of performance consistent with the requirements of the grading standards;

75.5 requires the demonstration of academic skills;

75.6 facilitates valid and reliable assessment of student achievement; and

75.7 complies with the requirements of *The Access to HE Grading Scheme*.

Accessibility of assessments

76 An AVA must ensure that the relevant provisions of the *Equality Act 2010*⁴ are complied with in the planning and setting of assessments, including the duty to make reasonable adjustments.

Condition E3: Academic misconduct (including generative artificial intelligence)

77 An AVA must have in place and implement a policy on academic misconduct (to include as a minimum: plagiarism, collusion, contract cheating and acceptable use of generative artificial intelligence) to ensure that quality and standards and academic integrity are maintained in the design and implementation of assessments.

78 The policy should identify what the AVA considers to be acceptable use of generative artificial intelligence, and what is unacceptable and how this may be treated as academic malpractice.

79 In developing and maintaining its policy position on the use of generative artificial intelligence in assessments, an AVA should have regard to relevant guidance that QAA may issue from time to time, as well as any relevant legislation, and may have regard to common and general approaches being undertaken within tertiary education in the UK.

Condition E4: Moderation

E4.1 - Internal moderation

80 An AVA must have requirements in place to ensure that its Providers operate rigorous internal moderation procedures which facilitate:

⁴ www.legislation.gov.uk/ukpga/2010/15/contents

- 80.1 the application of consistent standards of demand in assessment;
- 80.2 assessment design that maximises reliability and validity in assessment outcomes; and
- 80.3 the consistent and accurate application of the requirements of *The Access to Higher Education Diploma Specification* and *The Access to Higher Education Grading Scheme*.

E4.2 - External moderation

81 An AVA must arrange appropriate oversight of internal moderation by external moderators to ensure that internal moderation has been conducted in accordance with the AVA's published requirements.

E4.3 - Recruitment, selection and appointment of external moderators

82 The AVA should operate standard procedures for the selection and appointment of external moderators, which ensure that moderators:

- 82.1 have relevant teaching and assessment experience in adult, further or higher education;
- 82.2 have relevant and current subject knowledge for their area(s) of responsibility at a level at or higher than the level they are moderating;
- 82.3 are external to the Provider(s) they are required to moderate; and
- 82.4 have declared known and perceived conflicts of interest that are recorded by the AVA.

E4.4 - Induction and training of external moderators

83 An AVA is responsible for inducting and training external moderators to ensure they are sufficiently qualified to:

- 83.1 make judgements about the standards of performance that demonstrate achievement in accordance with the Level 3 descriptor of the Regulated Qualifications Framework for England and Northern Ireland or the Credit and Qualifications Framework for Wales; and
- 83.2 judge the comparability of assessment input and outcome standards across the provision that they moderate.

84 An AVA should make available to moderators and Providers written guidance which details all aspects of the assessment model for the Diploma, including information about grading standards and processes.

E4.5 - Moderator reports

85 An AVA should ensure its moderator reports contain information regarding:

- 85.1 standards of student achievement and performance on each Access to HE course, including information about grades awarded; and
- 85.2 the process of assessment on each course, including the use of grading standards and the operation of grading practices.

86 An AVA should ensure that it has in place and implements processes to respond promptly to individual moderator reports.

Section F: Awarding the qualification

Condition F1: Qualification recognition

F1.1 - Procedures for the award of Access to HE Diplomas

87 An AVA's procedures for the award of Diplomas should ensure:

87.1 decisions about the awards are made by a Final Awards Board which operates in accordance with *The Access to Higher Education Grading Scheme*;

87.2 a final moderation process takes place before the Final Awards Board and before recommendations for the award of credits, grades or Diplomas are made to the AVA;

87.3 students on Access to HE courses are awarded credit and, where appropriate, grades for all units achieved and an Access to HE Diploma if the specified units have been achieved;

87.4 the function, processes and membership of the Final Awards Board are clearly defined; and

87.5 all requirements as set out in the Recognition Scheme are met.

F1.2 - Certification

88 An AVA should ensure that it issues an Access to HE Diploma certificate to all students who have been awarded the Diploma as approved by its Final Awards Board and in accordance with *The Access to Higher Education Grading Scheme*.

89 An Access to HE Diploma certificate must comply with the requirements set out in paragraphs 58 to 60 of *The Access to Higher Education Diploma Specification*.

90 Any errors relating to the award or certification of the Diploma should be rectified immediately by the AVA as soon as it becomes aware of such errors.

F1.3 - Transcript of achievement

91 An AVA should issue each student who has been awarded the Diploma with a transcript of unit achievement. The transcript should include the grade awarded for each unit and how many credits were awarded for each successfully completed graded or ungraded unit.

92 Where a student achieves less than the 60 credits required for the Diploma, an AVA should issue a transcript only. The transcript should include the units, credits and, where appropriate, grades achieved.

Published - 29 May 2025

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Registered charity numbers 1062746 and SC037786

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