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## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

NO. 1538

09 DECEMBER 2016



## Amendments to the Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF

Draft for public comment  
2 December 2016

### Introductory note

I, Mr Joseph Samuels, Chief Executive Officer of the South African Qualifications Authority (SAQA) give notice of my intention to amend the *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF*.

SAQA is mandated by the National Qualifications Framework (NQF) Act, 67 of 2008, to advance the objectives of the NQF, oversee the further development and implementation of the NQF and to co-ordinate the Sub-Frameworks. One of the objectives of the NQF is to facilitate access to, and mobility and progression within education, training, development and work. In this regard Section 13(1) (m) requires SAQA to provide an evaluation and advisory service in respect of foreign qualifications, consistent with the NQF Act.

The approved *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF* was published on 30 December 2015. It outlined the principles and criteria that constituted the policy by which SAQA evaluates foreign qualifications and serves the purpose of promoting consistency and transparency in the evaluation of foreign qualifications towards recognition and mobility. The Policy and Criteria was developed in the spirit of our participative democracy.

In the latter half of 2016 SAQA revisited the criteria guiding verification of foreign qualifications to be more inclusive of recognising qualifications that do not belong to national systems of education and training, without compromising the integrity of its evaluation function.

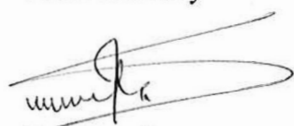
SAQA encourages all practitioners directly or indirectly involved with foreign qualifications to engage with this draft amended Policy and Criteria and submit comments to SAQA by **Friday 13 January 2017**. Comments should be sent to the SAQA Director: Foreign Qualifications Evaluation and Advisory Services:

**Ms Nadina Coetzee**

**Email: [ncoetzee@saqa.org.za](mailto:ncoetzee@saqa.org.za)**

SAQA looks forward to receiving comments from all stakeholders involved in the international mobility of knowledge and skills through the recognition of foreign qualifications.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Joe Samuels', is written over a horizontal line.

Joe Samuels

Chief Executive Officer, SAQA

## Glossary of Terms

The purpose of this glossary is to define the evaluation terminology as used to develop this policy and criteria document.

**“Accreditation”** means the process followed by a competent recognition authority or quality assurance body to recognise a legally established institution as having the capacity to offer a qualification or part-qualification at the required standard; and/or to approve a learning programme as meeting the required standard

**“Appeal”** means the formal petitioning, by an appellant, either to the FQ Appeal Panel against a recognition decision; or to the FQ Appeal Committee, against an appeal decision taken by the FQ Appeal Panel in Stage I of the appeal process.

**“Comparison”** means the process which entails comparing foreign qualifications with South African qualifications, considering the structure and outcomes of foreign qualifications and locating them within the NQF

**“Certification”** means formal recognition of a qualification or part-qualification awarded to a successful learner

**“Credit”** means a measure of the volume of learning required for a qualification or part-qualification, quantified as the number of notional study hours required for achieving the learning outcomes specified for the qualification or part-qualification. In the South African education and training system one credit is equated to ten (10) notional hours of learning

**“Evaluation of foreign qualifications”** means the process followed by SAQA to verify the authenticity of foreign qualifications and to compare foreign qualifications with South African qualifications registered on the NQF

**“Foreign qualification”** means a qualification that either: (1) forms an intrinsic part of an education and training system other than South Africa, and is awarded by an institution that is accredited or recognised in that system, in accordance with the relevant laws, policies or generally accepted practice; or (2) meets other specific criteria as determined and published by SAQA

**“Foreign Qualification Recognition Value Chain”** means the various recognition responsibilities, undertaken by key SA role players, to recognise a foreign qualification for specific purposes

**“Learning institution”** means an institution as defined in the Immigration Regulations of 22 May 2014:

- (a) an institution of higher education established in terms of the Higher Education Act, 1997 (Act No. 101 of 1997); or



- (b) a college established in terms of the Continuing Education and Training Act, 2006 (Act No. 16 of 2006), but does not include-
  - (i) a school offering further education and training programmes under the South African Schools Act, 1996 (Act No. 84 of 1996); or
  - (ii) a college under the authority of a government department other than the Department of Higher Education and Training; or
- (c) a school contemplated in section I of the South African Schools Act, 1996 (Act No. 84 of 1996)

**“Learning outcomes”** means the contextually demonstrated end-products of specific learning processes, which include knowledge, skills and values

**“Level”** means one of the series of levels of learning achievement, according to which an NQF or other form of education and training system is organised, and to which qualification types are linked. The South African NQF levels are arranged in ascending order from one to ten, contemplated in the NQF Act, 2008 (Act No.67 of 2008)

**“National Qualifications Framework (NQF)”** means the comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications and part-qualifications. The South African NQF is a single integrated system comprising three co-ordinated Qualifications Sub-Frameworks namely for: General and Further Education and Training; Higher Education; and Trades and Occupations

**“Professional body”** means any body of expert practitioners in an occupational field; this includes an occupational body

**“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

**“Qualification award”** means the formal acknowledgement, by the relevant authority, of achievement of the stated learning outcomes for a qualification

**“Qualifications frameworks”** means systems for classification, registration, publication and articulation of quality-assured qualifications

**“Quality assurance”** means the processes of ensuring that specified standards or requirements for teaching, learning, education administration, assessment and the recording of achievements have been met

**“Quality assurance body”** means a body that is either legally mandated to undertake quality assurance within a national education and training system, or officially recognised within a framework as compliant with agreed quality assurance standards in a geographical area

**“Recognition agreement”** means a formal arrangement, signed between two or more countries at a designated political level, confirming the intent to mutually recognise each other’s qualifications and outlining the agreed mechanisms and responsibilities

**“Recognition decision (regarding a foreign qualification)”** means the outcome of the evaluation of a foreign qualification conducted in terms of the *SAQA Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF*; on whether or not to recognise that qualification

**“Recognition of a foreign qualification”** means the formal acceptance of the appropriateness of a foreign qualification for a specific purpose

**“Revocation”** means the withdrawal of a prior decision by SAQA to recognise a foreign qualification and the action taken to invalidate, annul, cancel or rescind a SAQA Certificate of Evaluation, to render such certificate to have no legal status and effect.

**“SAQA Certificate of Evaluation”** means a certificate issued by SAQA indicating the authenticity of the foreign qualification and its location on the NQF

**“South African Qualifications Authority (SAQA)”** means the statutory authority established in terms of the SAQA Act (Act 58 of 1995) and continuing in terms of the NQF Act (Act 67 of 2008), which oversees the further development and implementation of the NQF, the achievement of the objectives of the NQF, and the co-ordination of the three Sub-Frameworks

**“Sub-Framework of the NQF”** means one of three co-ordinated Qualifications Sub-Frameworks which make up the South African NQF as a single integrated system namely the Higher Education Qualifications Sub-Framework (HEQSF), the General and Further Education and Training Qualifications Sub-Framework (GFETQSF) and the Occupational Qualifications Sub-Framework(OQSF)

**“The United Nations System”** means the System consisting of the United Nations, its subsidiary organs, specialised agencies, and affiliated organisations

**“Verification of a foreign qualification”** means the process followed by SAQA to check the authenticity of a foreign qualification. Verification includes authenticating the status of institutions and the qualifications offered by them, investigating the authenticity of qualification documentation and verifying that the qualification was awarded to the individual in question



## **Policy and Criteria for Evaluating Foreign Qualifications within the South African National Qualifications Framework**

### **Purpose**

1. This document outlines the principles and criteria constituting the policy by which the South African Qualifications Authority (SAQA) evaluates foreign qualifications within the context of the South African National Qualifications Framework (NQF).
2. Its purpose is to promote consistency and transparency in the evaluation of foreign qualifications towards recognition and mobility and to make the information publicly available.

### **Context**

3. SAQA is mandated by the NQF Act, 67 of 2008, to advance the objectives of the NQF, oversee the further development and implementation of the NQF and to co-ordinate the Sub-Frameworks.
4. The 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, as contemplated in section 4 of the NQF Act, 2008.
5. One of the objectives of the NQF is to facilitate access to, and mobility and progression within, education, training, development and work. In this regard Section 13(1)(m) of the NQF Act requires SAQA to provide an evaluation and advisory service in respect of foreign qualifications.
6. SAQA and the Quality Councils (QCs), contemplated in section 5(3) of the NQF Act, 2008, must seek to achieve the objectives of the NQF by:
  - a. developing, fostering and maintaining an integrated and transparent national framework for the recognition of learning achievements;
  - b. ensuring that South African qualifications meet appropriate criteria, determined by the Minister, and are internationally comparable; and
  - c. ensuring that South African qualifications are of an acceptable quality.
7. As seen in Figure 1, just as the NQF is the recognition instrument for national qualifications, it is also used as the benchmark for recognition of foreign qualifications in South Africa:
  - a. Foreign qualifications, whether held by South Africans or foreign nationals, are evaluated to inform further study, employment, registration and professional licensing in South Africa;
  - b. Foreign nationals must comply with the visa requirements of the Department of Home Affairs (DHA); and

- c. The evaluation of foreign qualifications by SAQA is a statutory requirement as stipulated in the South African immigration regulations.

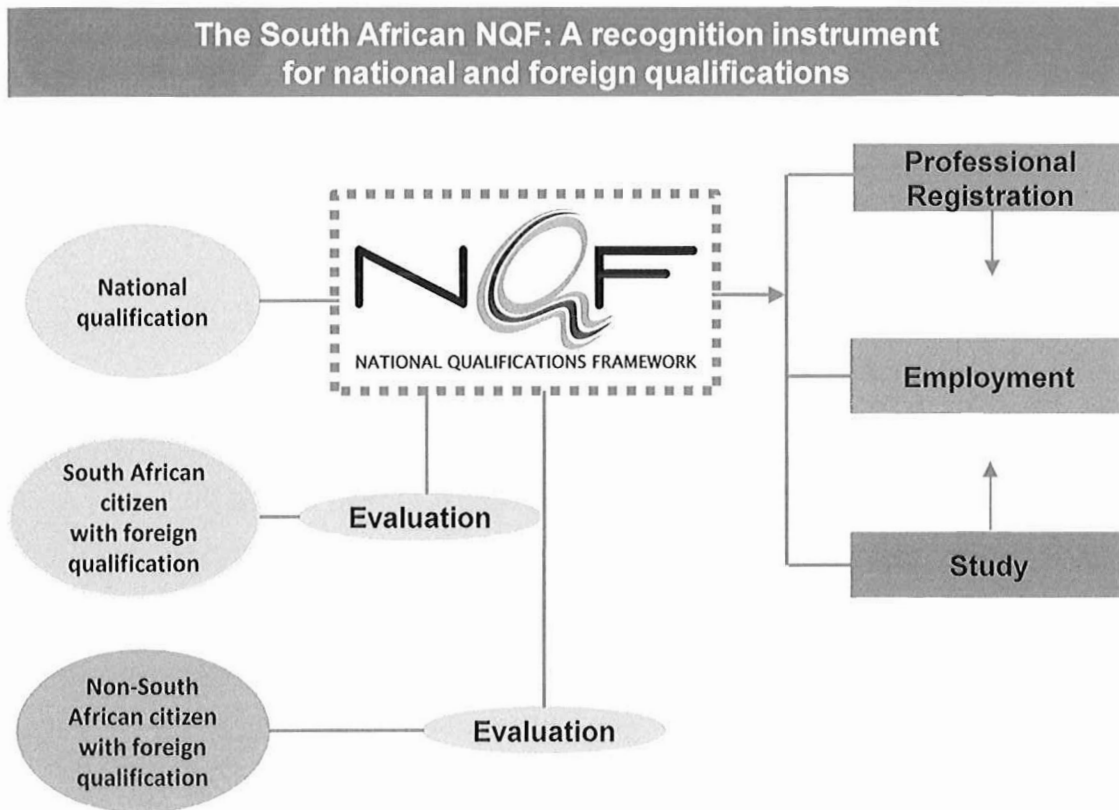


Figure 1: The South African NQF as a recognition instrument for national and foreign qualifications

8. The evaluation and advisory service provided by SAQA forms part of a value chain for the recognition of foreign qualifications. Figure 2 shows how SAQA partners with other bodies and entities to recognise foreign qualifications. It outlines the recognition responsibilities of partners namely:
- a. Evaluation (verification and comparison) of foreign qualifications to determine authenticity and locate the foreign qualification within the NQF - *SAQA*;
  - b. Permission to enter South Africa, the issuing of visas relating to study and work; and addressing scarce and critical skills needs of the country - *Department of Home Affairs (DHA)*;
  - c. Registration and professional licensing - *Professional Bodies*;
  - d. Employment, promotion and remuneration - *Employers*; and
  - e. Admission to study - *Learning and related institutions*.

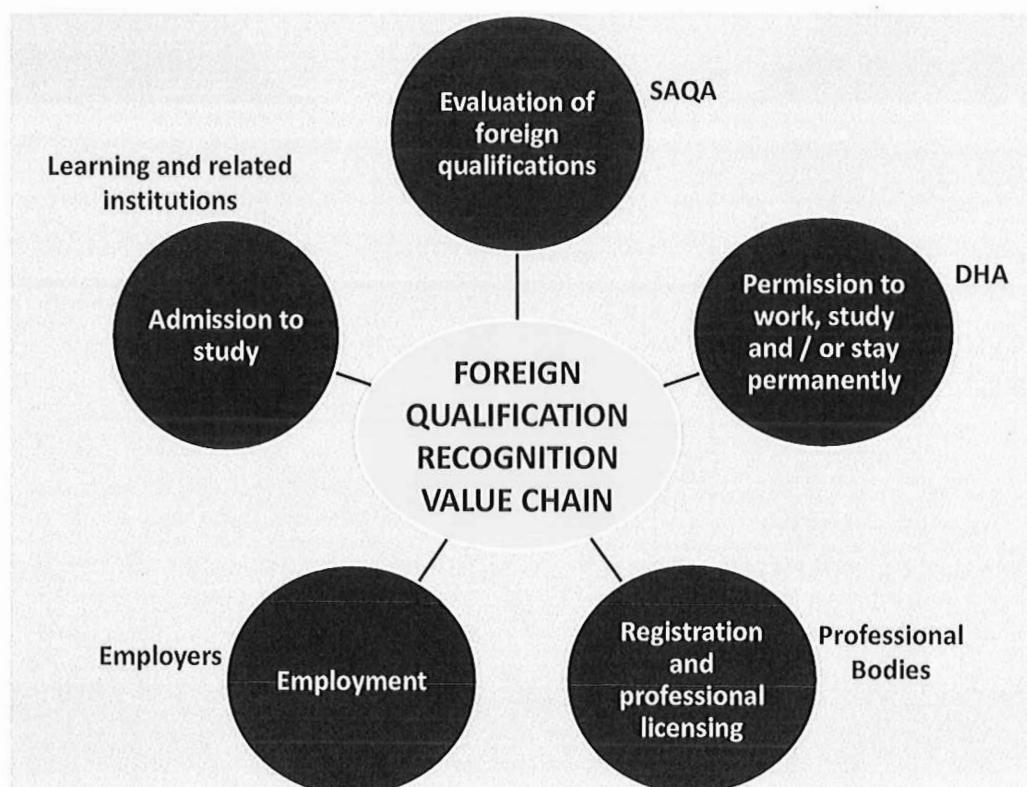


Figure 2: The Recognition Value Chain for foreign qualifications

9. SAQA issues a Certificate of Evaluation (SCoE) to reflect its recognition decision on the comparability of a foreign qualification and its appropriate location on the NQF.
10. The SCoE does not replace the requirements of each of the statutory contexts of other partners in the recognition of foreign qualifications.
11. Globally the recognition of foreign qualifications is guided by a number of legal instruments often led by the United Nations Educational, Scientific and Cultural Organization (UNESCO). South Africa notes the importance of the *Revised Convention on the Recognition of Studies, Certificates, Diplomas and Degrees and Other Academic Qualifications in Higher Education in African States* (2014).

### Principles

12. In South Africa, national legislation takes precedence over international legislation. The evaluation of foreign qualifications by SAQA considers all South African NQF-related legislation, regulations and policies.



13. The foreign qualifications evaluation and advisory service is provided in accordance with:
  - a. The guidance and oversight provided by SAQA governance structures, as well as SAQA policies, codes and service standards;
  - b. The principles of fairness, transparency, confidentiality and consistency; and
  - c. International good practice.
  
14. In providing this service, SAQA considers all NQF policies, including:
  - a. *Level Descriptors for the South African National Qualifications Framework*, (Notice No.586, GG No. 355548 of 27 July 2012);
  - b. *Policy and criteria for recognising a professional body and registering a professional designation for the purposes of the National Qualifications Framework Act, Act 67 of 2008*, (Notice No.585, GG No. 355547 of 27 July 2012);
  - c. *National Policy for the Implementation of the Recognition of Prior Learning*, (Notice No.779, GG No. 38075 of 10 October 2014); and
  - d. *Policy for Credit Accumulation and Transfer within the National Qualifications Framework*, (Notice No.972, GG No. 38275 of 2 Dec 2014).
  
15. SAQA evaluates the foreign qualification underlying a professional designation and not the professional designation itself.
  
16. It remains the responsibility of learning-related institutions, employers and professional bodies to take decisions concerning recognition of prior learning, admission, employment and licensing and registration, as applicable.
  
17. SAQA establishes recognition relationships and honours recognition agreements and applicable conventions that promote fair recognition of qualifications and hence the worldwide mobility of learners and workers. Recognition agreements are reviewed periodically.
  
18. SAQA values quality information as a cornerstone of effective processes and fair recognition decisions. SAQA takes seriously its responsibility to provide true, clear and accessible information and expects the same of qualification holders and foreign institutions.
  
19. Where substantial difference exists and can be demonstrated between the foreign and local qualification/ qualification type, it remains SAQA's decision to recognise a foreign qualification at a designated NQF level.
  
20. In accordance with the rules of administrative justice, a qualification holder has the right to be informed of the rationale underlying a recognition decision and exercise the right to appeal in accordance with the SAQA *Foreign Qualifications Evaluation and Advisory Services Appeal Policy* (2016).

21. SAQA has a zero tolerance approach to fraudulent and corrupt practices.
22. The SAQA Code of Ethics and Policies relating to Fraud Prevention and Detection and Fraud Reporting apply to all members of SAQA staff and associates. Any attempts to bypass standard procedures, or influence either the process or outcome of evaluation of foreign qualifications, must be refused and reported.
23. Members of the public are urged to:
  - a. refrain from any behaviour aimed at compromising SAQA staff or processes;
  - b. immediately report any irregular behaviour by staff; and
  - c. report any suspected irregular activities related to foreign qualifications.
24. SAQA holds the copyright to its Certificate of Evaluation (SCoE).
25. The SCoE remains the property of SAQA. SAQA reserves the right to revoke the SCoE if any evidence comes to light that compromises its integrity and validity. Revocation happens in accordance with the SAQA *Foreign Qualifications Evaluation and Advisory Services Revocation Policy* (2016).
26. It is illegal to misrepresent a SCoE. Learning institutions, DHA, professional bodies and employers are encouraged to verify with SAQA the authenticity of the SCoE presented.

#### **Criteria for evaluating foreign qualifications**

27. To be accepted for evaluation, applications must meet all the requirements stipulated in the published application material:
  - a. Applicants must provide SAQA with a complete and credible set of documents to enable evaluation;
  - b. Education and training institutions must provide complete and credible qualification documents to qualifying learners; and
  - c. SAQA may request relevant foreign institutions to provide additional information to conduct a fair evaluation of a foreign qualification.
28. Noting that education systems change, SAQA, in the evaluation of a foreign qualification will consider the historical context within which the foreign qualification was issued.



29. SAQA will recognise a foreign qualification after it has determined that, at the time of enrolment of the qualification holder, all the following verification requirements were met:
- a. The awarding institution was:
    - (i) Recognised, or accredited (whichever term applies) by the relevant authority in the home system, in accordance with the relevant laws, policies or generally accepted practice in that country; or
    - (ii) Established within the United Nations System, listed on the International Association of Universities (IAU)/ UNESCO World Higher Education Database, and authorised to operate as a higher education institution in the country of location;
  - b. The qualification was:
    - (i) Part of the formal education and training system in the country of origin; or
    - (ii) In the case of (29)(a)(ii) above, awarded on completion of a programme accredited by a quality assurance body, that meets the definition herein;
  - c. The institution was authorised to offer the qualification;
  - d. The qualification holder has successfully completed all the requirements for the award of the qualification as confirmed by the awarding body; and
  - e. The documentation in respect of the foreign qualification submitted to SAQA is authentic, with no evidence of tampering or inconsistency.
30. A qualification will proceed to the comparison phase of evaluation and qualify for the issuing of a SCoE only if all verification requirements are met.
31. Where recognition agreements exist between South Africa and foreign countries, SAQA's recognition decision will reflect the provisions of such agreements consistent with the South African NQF.
32. In the absence of a recognition agreement, the foreign qualification will be located within its national system in order to understand how the foreign system compares with the South African NQF:
- a. Where the foreign national system is a qualifications framework, the foreign qualifications framework will be compared with the South African NQF in order to locate the foreign qualification on the South African NQF (Sub-Framework, NQF Level and organising field). The recognition decision will be based on learning outcomes, both level descriptors and qualification descriptors;
  - b. Where the country does not have a qualifications framework, the foreign national system will be compared with the South African NQF in order to locate the foreign qualification on the South African NQF. The recognition decision will be based on qualification descriptors and the comparable level will be inferred; and
  - c. Where the foreign qualifications were issued before the introduction of a qualifications framework, SAQA will ascertain whether provision was made for the inclusion of earlier qualifications into the qualifications framework and consider that in the comparison.

33. Where a qualification is not located within a national system of education and training but meets all the verification criteria outlined in (29)(a)(ii) and (29)(b)(ii) above, SAQA will use appropriate measures to determine comparability in terms of the NQF.
34. Policies and criteria governing qualification types in the three Qualifications Sub-Frameworks of the South African NQF will be considered when conducting comparisons of foreign qualifications with South African qualifications.

#### **Transitional arrangements**

35. This amended *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF (2016)* comes into effect on the date of its publication in the Government Gazette. It replaces the *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF* published in 2015. This Policy and Criteria will be reviewed procedurally after five years, or earlier if necessary.

### List of acronyms and names

CHE	Council on Higher Education
DFQEAS	Directorate: Foreign Qualifications Evaluation and Advisory Service
DHA	Department of Home Affairs
GFETQSF	General and Further Education and Training Qualifications Sub-Framework
HEQSF	Higher Education Qualifications Sub-Framework
IAU	International Association of Universities
NQF	National Qualifications Framework
OQSF	Occupational Qualifications Sub-Framework
QC	Quality Council
QCTO	Quality Council for Trades and Occupations
RSA	Republic of South Africa
SAQA	South African Qualifications Authority
SCoE	SAQA Certificate of Evaluation
Umalusi	Council for Quality Assurance in General and Further Education and Training
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization

### Members of the Foreign Qualifications Evaluation Reference Group

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Council on Higher Education	Amani Saidi
Department of Higher Education and Training	Shirley Lloyd
Department of Home Affairs	Amanda Ledwaba
Department: Public Service and Administration	Geeva Pillay
Durban University of Technology	Lavern Samuels
Public Relations Institute of South Africa	Adele Paulsen
Quality Council for Trades and Occupations	Annemarie Janse Van Rensburg
SAQA Foreign Qualifications Board Committee	Lavern Samuels replacing David Adler
SAQA Foreign Qualifications Board Committee	Jones Moloisane
South African Nursing Council	Sipho Mkhize
Umalusi	Liz Burroughs replacing Helen Matshoba
Universities South Africa (Formerly Higher Education South Africa)	Oliver Seale replacing Abbey Mathekga







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