



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 (2023)

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Foreword

The *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 (2023)*, referred to as the *P&C for professional bodies*, was developed, reviewed and amended 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 *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.



Ms N Starr

Chief Executive Officer

South African Qualifications Authority

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 (2023)

Definitions

1. The following definitions are relevant to this *P&C for professional bodies*:
 - a. “Artisan” means a person that has been certified as competent to perform a listed trade in accordance with the Skills Development Act, Act 97 of 1998;
 - b. “Community of expert practitioners” means a group of knowledgeable or appropriately skilled practitioners in a formalised and well-defined profession or occupation. A “Body of expert practitioners” has the same meaning;
 - c. “Continuing Professional Development (CPD)” means a range of learning activities through which professionals ensure that they retain their capacity to practice safely, effectively, and legally within their scope of practice;
 - d. “Expertise” means applied skill and competence which is gained through exposure and interactions in the workplace, occupation and / or profession;
 - e. “NQF Act” means the National Qualifications Framework Act (Act 67 of 2008), as amended;
 - f. “Occupation” means a set of jobs whose main tasks and duties are characterised by a high degree of similarity;
 - g. “Occupational qualification” means a qualification associated with a trade, occupation or profession resulting in learning in and for the workplace;
 - h. “Occupational Body” means a body established to represent a community of expert practitioners within an occupational field;
 - i. “Occupational field” refers to a group or cluster of related occupations or professions, often but not necessarily requiring similar skills, knowledge, and abilities and sharing similar working conditions;
 - j. “Part-qualification” means an assessed unit of learning that is registered, on the NQF, as part of a qualification;
 - k. “Profession” refers to a disciplined group of individuals who adhere to ethical standards enforced by the profession and who hold themselves out as, and are accepted by the public as possessing specialised skills and knowledge in a widely recognised body of learning derived from research, education and training, and who are prepared to apply this knowledge and exercise these skills in the interest of others;
 - l. “Professional” means a person who is qualified, earns an income/renumeration and subscribes to a formal code of ethics and professional standards;

- m. “Professional body” means any body of expert practitioners in an occupational field, and includes an occupational body;
- n. “Professional designation” means a title or status conferred by a professional body in recognition of a person’s expertise and the right to practice in an occupational field.
- o. “Progression pathway” means a hierarchy of two or more related qualifications and/or professional designations that allow for vertical progression within a profession;
- p. “Professional Standard” means a set of practices, ethics and behaviours that members of a professional body must adhere to;
- q. “Provider” see “Recognised provider”;
- r. “Qualification” means a registered national qualification;
- s. “Recognised provider” means, in South Africa, a public or private entity that offers any learning programmes that lead to qualifications or part-qualifications registered on the NQF in terms of the relevant sub framework requirements and relevant national legislation.
- t. “Right to practice” means confirming the candidate applying for a designation meets prescribed standards of competence that involves confirmation of (i) holding a specified qualification; (ii) having prescribed relevant work experience; (iii) and may include passing a specific examination. In the case where there is no Statutory Body, the right to practice is not exclusive and does not preclude qualified individuals from practicing;
- u. “Statutory Body” means an authority established by an Act of Parliament to provide for the registration and licensing of professionals and other categories in a specified occupation, trade or profession; and
- v. “Trade” means an occupation for which an artisan qualification is required in terms of Section 26B of the Skills Development Act, Act 97 of 1998.

Purpose

2. This *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 (2023)* (referred to as the *P&C for professional bodies*) outlines how the South African Qualifications Authority (SAQA), for the purposes of the National Qualifications Framework (NQF) Act, recognises professional bodies and registers professional designations.

Introduction and background

3. The South African NQF is a comprehensive system approved by the Minister responsible for 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. The NQF is 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. General and Further Education and Training Qualifications Sub-Framework (GFETQSF), as contemplated in the General and Further Education and Training Quality Assurance (GENFETQA) Act (and subsequent amendments) with Umalusi as the Quality Council;
 - b. Higher Education Qualifications Sub-Framework (HEQSF), as contemplated in the Higher Education Act (and subsequent amendments) with the Council on Higher Education (CHE as the Quality Council); and
 - c. Occupational Qualifications Sub-Framework (OQSF), as contemplated in the Skills Development Act (and subsequent amendments) with the Quality Council for Trades and Occupations (QCTO) as the Quality Council.

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 body of expert practitioners will:
 - a. when recognised as a professional body, 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.

8. In meeting the policy and criteria for the recognition of professional bodies, a recognised professional body may according to Section 32 of the NQF Act, on delegation of the relevant QC:
 - a. recognise suitable workplaces and training providers;
 - b. conduct assessment of workplace experience;
 - c. be involved in the curricula of learning programmes;
 - d. set its own board examinations; and
 - e. develop and/or quality assure qualification/s required for the awarding of professional designations.

Objectives

9. The objectives of this *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 framework 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. encourage the setting of professional standards by professional bodies;
 - e. promote pride in association for all professions, including traditional trades and occupations;
 - f. encourage the sustainability of professional bodies which include financial and human resource capacity;
 - g. promote the protection of the public from malpractice and unethical behaviour related to the non-fulfilment of the professional duties and responsibilities of professional bodies and their members;
 - 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. ensure the development and implementation of Continuing Professional Development (CPD).

Scope

10. This *P&C for professional bodies* applies to all SAQA recognised professional bodies, or statutory and non-statutory bodies of expert practitioners that aim to become a SAQA recognised professional body in South Africa who function within, and for the purposes of the NQF Act.

Policy for the recognition of professional bodies

11. A statutory or non-statutory body of expert practitioners must, in terms of the NQF Act, Section 13(1)(i)(i-ii), apply to SAQA in accordance with this *P&C for professional bodies*, for recognition as a professional body and registration of its professional designations.
12. A statutory or non-statutory body of expert practitioners in an occupational field will be recognised by SAQA as a professional body on fulfilment of the criteria for recognition as a professional body.
13. 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.
14. In cases where more than one non-statutory 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.
15. SAQA reserves the right to recognise a professional body in a sector in which a statutory body has been established through an Act of Parliament.
16. In administering the *P&C for professional bodies* SAQA will:
- a. charge professional bodies a nominal fee per designated member on the National Learners' Records Database (NLRD) for all services rendered, including an application fee for new applications for recognition, and in instances where SAQA is forced to incur unnecessary and wasteful expenditure because of delays and lack of compliance by the professional body concerned;
 - b. ensure that a statutory or non-statutory body of expert practitioners seeking recognition meets all the criteria for recognition;
 - c. invite public comment on its intention to recognise a professional body and register its professional designations by publishing its intention on the SAQA website. The comment period will be for thirty (30) working days;
 - d. implement a review mechanism, periodically, to monitor recognised professional bodies for continued compliance; and
 - e. investigate an alleged lack of compliance with the *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.
 - f. review and update guidelines relating to criteria for recognising professional bodies and/or registration of professional designations.
17. 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 *P&C for professional bodies*, including the data requirements.
19. Professional bodies may not offer qualifications registered on the NQF but may offer non-credit bearing learning for CPD purposes.

20. 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.
21. SAQA will re-recognise a professional body for subsequent five (5) year periods, subject to the favourable outcome of a monitoring and evaluation process which will be set out in the guideline document issued by SAQA.
22. SAQA will conduct a mid-term monitoring review in the second year of recognition and re-recognition of the professional body, to ensure compliance with the *P&C for professional bodies* and to monitor the progress of the professional body in achieving the objectives as set out in clause 9.
23. SAQA may withdraw the recognition status from a professional body:
 - a. if the body no longer complies with this *P&C for professional bodies*; or
 - b. if the professional body ceases to exist; or
 - c. if the professional body fails to pay the nominal fee per designated member registered on the NLRD; or
 - d. when the professional body recognition status ends; or
 - e. by request from the professional body; or
 - f. where it was found that a professional body has misrepresented its recognition status or extended its scope of practice.
24. SAQA may temporarily extend the recognition period of a professional body to conclude the re-recognition or withdrawal of recognition process.
25. SAQA will inform the relevant Minister, in the case of statutory bodies recognised as professional bodies, when withdrawing the recognition status of such bodies.
26. If a professional body loses its recognition status, the historical records of the holders of the designation on the NLRD will reflect the date of deregistration.
27. 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.

28. A professional body may appeal within a period not exceeding sixty (60) working days from the date of notification by SAQA.
29. The appeals application and supporting documents will be forwarded to SAQA's Professional Body Appeals Committee for a decision.
30. The outcome of the Committee is final and will be communicated to all relevant stakeholders.
31. SAQA will publish the withdrawal of the recognition status of a professional body on the SAQA website. This will be considered sufficient communication regarding this change in status to the specific community of practice and the wider society.

Criteria for the recognition, mid-term monitoring review and re-recognition of non-statutory professional bodies.

32. A non-statutory body of expert practitioners 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 (CIPC) as a non-profit company (NPC) or with the Department of Social Development as a non-profit organisation (NPO) of which membership is voluntary. Membership must be defined in the Memorandum of Incorporation (MOI). This entity must not be registered as a profit-making company;
 - b. be governed either by a MOI, statute, charter or a constitution, whichever is applicable, indicating the scope of practice and be compliant with, and adhere to, good corporate governance practices;
 - c. have a transformation policy that guides the constitution of the Board, staff and membership. Furthermore, the professional body must indicate activities that ensure representation of the demographics of the country and support transformation, and if there is no transformation, an explanation must be provided;
 - d. have the necessary human resources capacity to undertake its functions, which is separate from the Board, except for executive members;
 - e. have access to adequate premises and facilities to undertake its functions;
 - f. have the necessary financial resources to undertake its functions and be sustainable throughout the recognition period;
 - g. provide immediate past audited three-year financial statements or independently

reviewed three-year financial statements;

- h. in the awarding and withdrawal of its designations, a recognised professional body may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, and birth;
- i. have policy and criteria:
 - i. to develop, award, monitor and revoke its professional designations in terms of its own rules;
 - ii. on RPL to award designations for members who do not have the required underlying qualifications;
 - iii. on membership, which includes but is not limited to the responsibilities and benefits, voting right, use of designation, and different categories of memberships.
 - iv. on Continuous Professional Development;
- j. Policies from non-statutory professional bodies must adhere to the:
 - i. Protection of Personal Information Act (POPIA), Act 4 of 2013,
 - ii. Promotion of Access to Information Act (PAIA), Act 2 of 2000, and
 - iii. Promotion of Administrative Justice Act (PAJA), Act 3 of 2000 for the processing and accessing of membership information.
- k. Professional bodies must:
 - i. have a database of individual members;
 - ii. clearly define membership in terms of designated and non-designated members;
 - iii. submit to SAQA a list of designated member data in a format determined for the purposes of the NQF for uploading to the NLRD.
 - iv. make career related information available to the public;
 - v. 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; and
 - vi. establish a register of complaints and submit as part of the mid-term monitoring and re-recognition, the register must indicate number, and nature and date of the complaints received as well as the findings and or resolutions achieved.

33. A non-statutory body of expert practitioners may only apply for recognition by SAQA, if it has at least one designation to support its application for recognition.

34. From time to time, SAQA will prepare and apply guidelines relevant to Clauses 32-33 to

support the recognition, and re-recognition, of professional bodies.

Criteria for the recognition, mid-term monitoring review and re-recognition of statutory professional bodies.

35. A statutory body established through an Act of Parliament must submit:

- a. an Act or regulations establishing the statutory body.
- b. its most recent annual report.
- c. have policy and criteria:
 - i. to develop, award, monitor and revoke its professional designations in terms of its own rules and founding legislation;
 - ii. on RPL to award designations for members who do not have the required underlying qualifications;
 - iii. on CPD;
- d. Policies from statutory professional bodies must adhere to the:
 - i. Protection of Personal Information Act (POPIA), Act 4 of 2013,
 - ii. Promotion of Access to Information Act (PAIA), Act 2 of 2000, and
 - iii. Promotion of Administrative Justice Act (PAJA), Act 3 of 2000, for the processing and accessing of membership information.
- e. submit to SAQA a list of all their designated members as per the SAQA requirements.
- f. SAQA recognised statutory professional bodies must:
 - i. have a database of individual members;
 - ii. clearly define membership in terms of designated and non-designated members;
 - iii. submit a list of designated members, in a form acceptable to SAQA, for uploading to the NLRD;
 - iv. make career related information available to the public; and
 - v. 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.

36. A statutory body of expert practitioners may only apply for recognition by SAQA, if it has at least one designation to support its application for recognition.

37. From time to time, SAQA will prepare and apply guidelines relevant to Clauses 35-37 to support the recognition, and re-recognition, of professional bodies.

Policy for the registration of new and additional professional designations.

38. A professional designation:

- a. is conferred by a professional body to an individual in the form of a title, status and/or registration number;
- b. indicates registration of the individual with a professional body and the right to practise in a specified field of expertise. Retention of the designation is dependent upon compliance with the stated requirements of the professional body concerned; and
- c. can be revoked in terms of the rules, legislation and/or international conventions of the recognised professional body and SAQA must be notified.

39. The nomenclature for professional designation titles used by non-statutory professional bodies must be approved by SAQA.

40. SAQA registers a professional designation in the designated register, separately from a qualification.

41. Only professional bodies recognised by SAQA may apply to register additional professional designations in line with the scope of practice.

42. The professional designation title cannot be the same as a qualification registered on the NQF or an occupation as defined in the Organising Framework for Occupations.

43. Designation titles and their related acronyms must not mislead or confuse members of the public regarding qualification achievement and job level, job function or job title.

44. The same professional designation cannot be registered by more than one recognised professional body in South Africa.

45. In order to be registered by SAQA, professional designations awarded through international awarding bodies must meet South African requirements as outlined in this *P&C for professional bodies*.

46. Verification queries related to professional designations are the exclusive responsibility of the relevant professional body.

47. SAQA will solicit public comments by publishing, on the SAQA website, its intention to register new and additional professional designations. The comments period will be open for 30 working days.
48. 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.
49. SAQA will deregister a professional designation if the:
- a. professional body which submitted the designation for registration no longer complies with this *P&C for professional bodies*; and/or
 - b. professional designation no longer complies with this *P&C for professional bodies*.
50. A recognised professional body that has its professional designation(s) deregistered or declined for registration has the right to appeal to SAQA.
51. The appeal must be lodged within a period not exceeding sixty (60) working days from the date of notification by SAQA.
52. All relevant documents will be forwarded to the SAQA Professional Body Appeals Committee, and the outcome of the Committee is final.
53. Following the deregistration of a professional designation, the relevant professional body must communicate the deregistration to individuals holding the designation.
54. As part of the process of withdrawing the recognition of a professional body and or de-registration of its professional designations, SAQA should receive all the necessary data in a manner prescribed by the NLRD.

Criteria for the registration of new and additional professional designations

55. In order for a professional designation to be registered it must:
- a. be submitted to SAQA by a statutory and non-statutory body of expert practitioners applying to be recognised by SAQA and recognised professional bodies in accordance with an application process determined by SAQA;
 - b. be developed, awarded, monitored and subject to revocation in terms of the policy as

- contemplated in clause 32 (i) i;
- c. be part of a progression pathway within or across registered designations, where applicable;
 - d. be linked to a validated database of the names of individuals who have been awarded the professional designation;
 - e. include, as an initial requirement, an underlying qualification that is registered on the NQF;
 - f. include as general requirements a clearly articulated competencies framework which defines the applied competences of the specific designation and associated progression pathways;
 - g. include, as general requirements, assessment, experiential learning, RPL, designation competencies, and/or work experience, and
 - h. include, as retention requirements, CPD, adherence to a code of professional ethics/ conduct and payment of membership fees.
56. If there are any proposed changes to policies from the initial recognition of the professional body or registering of the designation(s), the professional body must consult with SAQA.
57. The professional designations of statutory bodies will be prescribed by their respective founding acts while professional bodies registered under the Companies Act, Act 71 of 2008 and NPO Amendment Act, Act 17 of 2000, will adhere to the guidelines that will be issued by SAQA in terms of the naming of professional designations.
58. 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. The professional body has the right to accept or reject the comparable qualification as an underlying qualification for its registered designation.

Implementation and review

59. This *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 (As amended, December 2021)*:

- a. Comes into effect on the date of its publication on the SAQA website; and
- b. will be reviewed procedurally after five years or earlier if necessary.

Document History

Approved by:	Approval Date:	Next Review Date:
SAQA Board	1 December 2022	2027