



# ETDP SETA

## Assessment and Moderation Policy



higher education  
& training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

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## **ETDP SETA ASSESSMENT AND MODERATION POLICY**

### **PART 1: POLICY BACKGROUND**

#### **1.1 Vision and Mission of ETDP SETA**

The vision of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce in order to benefit employers, workers and employees in the sector.

The mission of the ETDP SETA is to promote, facilitate and develop an Education, Training and Development sector in which:

- the skills levels of employees and workers are raised;
- there is a healthy relationship between supply and demand in the labour market;
- there are diverse and flexible routes for initial and in-service education and training;
- the quality of education and training provided is improved;
- the levy grant system is efficiently administered;
- there is regular liaison with public and private providers, employers, other SETAs, the Department of Basic Education, the Department of Higher Education and Training, the National Skills authority and South African Qualifications Authority (SAQA), and its structures;
- internal and external communication is effective in order to advance national human resource and skills development;
- there is dialogue and interaction between public and private entities in the sector with regard to skills transfer and training
- quality service delivery is encouraged; and
- employers, workers and employees in each sector benefit from quality training, higher productivity and harmonious human development.

#### **1.2 Relevant legislation, regulation and guidelines**

The legislation that is applicable to this policy includes but is not limited to:

- The Constitution of the Republic of South Africa Act (108 of 1996)
- The Skills Development Act (97 of 1998)
- The Skills Development Amendment Act (37 of 2008)

- The Promotion of Administrative Justice Act (3 of 2004)
- The National Qualification Framework Act (67 of 2008 - replaced the SAQA Act)

Relevant SAQA Regulations, Criteria and Guidelines include:

- Education and Training Quality Assurance bodies Regulations (No R1127 of 1998)
- Criteria and Guidelines for the assessment of NQF registered unit standards and qualifications (2001)
- Criteria and Guidelines for the registration of assessors (2001)
- Criteria and Guidelines for providers (2001)
- Criteria and Guidelines for short courses and skills programmes (2004)
- Guidelines for ETQAs: Equitable accreditation for SMME providers of education and training (2004)
- Guidelines for ETQAs: Procedures for the monitoring and auditing of ETQAs (2004)
- Guidelines for Integrated Assessment (2005)

This policy does not seek to replace any requirements for assessments, moderation and verification imposed by legislation and to the extent that that this policy is inconsistent with any legislation or regulatory requirements, such legislation and regulations will prevail.

The onus is upon the skills development provider to ensure compliance with legislative requirements for the assessment, moderation, verification and certification of learners.

Since 2003 the ETDQA has had its own guidelines on assessment, moderation and verification. These have been regularly revised and updated (the latest versions are from 2010). This policy document is informed by these ETDQ SETA documents as well as by the legislative context and SAQA requirements. The Guidelines are still available and these should still be used by constituents seeking more detailed guidance and advice on good assessment practices.

## **PART 2: PURPOSE AND APPLICABILITY OF POLICY**

The purpose of this policy is to:

- a) establish legal accountability for assessment decisions made against qualifications and unit standards within the primary focus of the ETDQA;
- b) ensure that persons holding legal accountability for assessment and moderation decisions have the competence to comply with current regulations applying to such decisions;
- c) ensure that qualifications and unit standards for which the ETDP SETA has been accredited as the ETQA are assessed validly, reliably and practicably;
- d) ensure that regulations for assessment and moderation are implemented in a way that is strategically appropriate and practicable for the ETD sector; and
- e) inform providers, constituents and ETDP SETA staff of the policy, principles and procedures for assessment, moderation, learner appeals, irregularities and registration of assessors and moderators.

The policy applies to all processes conducted by ETDQA staff.

## PART 3: ASSESSMENT

### **3.1 Definition of assessment**

SAQA defines assessment as: 'a structured process for gathering evidence and making judgements about an individual's performance in relation to registered national standards and qualifications'.

Assessment is the process of gathering and weighing evidence in order to determine whether learners have demonstrated applied competence in relation to outcomes. These outcomes are specified in unit standards and/or qualifications registered on the NQF.

#### **3.1.1 Formative assessment**

Formative assessment is assessment designed to support and inform educators and learners to ensure continuing progress towards the outcomes, unit standards and skills programmes or qualifications targeted. In the schooling sector it is also known as continuous assessment (or CASS). It is used during the course of learning to support the learner by giving him/her feedback on progress. It can be used for diagnostic and remedial purposes, and can be used to build up and document a candidate profile over time in order to contribute evidence of competence to feed into summative results linked to the award of credit.

The main purpose of formative assessment is to support learning, and it can be described as developmental. The ETDP SETA expects formative assessment to be built into programmes offered by accredited providers.

#### **3.1.2 Summative assessment**

Summative assessment is assessment used to make a judgement about learner achievements. This is carried out when a learner is ready to be assessed, usually at the end of a programme. In longer learning programmes summative assessment can take place at different points to signify the completion of a particular portion of a learning programme. In this case, the learning activities and formative assessments are already completed, and the purpose of the summative assessment is specifically to generate evidence of competence.

Summative assessment must be conducted by an assessor registered with the ETDQ SETA. Its purpose is to confirm that learners or RPL candidates have met all the requirements to be awarded a unit standard or qualification. Summative assessment should be made up of evidence collected through a variety of assessment methods and through activities that are part of current or previous work or life experience. The assessor's job is to evaluate the evidence presented against the requirements of a standard or qualification in order to decide whether or not credits or a qualification may be awarded.

### **3.1.3 Integrated assessment**

Like SAQA, the ETDQA is encouraging providers to move towards increasingly integrated assessment practices, but fully integrated assessment has not yet been included in the minimum requirements for accreditation.

Integrated assessment should assess the ability to combine key foundational, practical and reflexive competencies with some critical cross field outcomes and apply these in a practical context for a defined purpose.

Integrated assessment at a qualification level must provide opportunities for learners to show that they are able to integrate concepts, ideas and actions across unit standards to achieve competence that is clearly linked to the purpose of the qualification.

When designing an integrated assessment, it is important to:

- design a task which demands the application of theory, knowledge and skills and the ability to reflect on the process and outcome
- design an assessment task which can generate evidence of competence related to several unit standards or large 'chunks' of meaningful learning
- avoid using many small assessment tasks which may assess trivial and insignificant fragments of skills or knowledge
- use a range of assessment methods and instruments across the tasks you design to assess one qualification or unit standard
- plan for the collection and evaluation of naturally occurring evidence especially in the case of evidence of work experience or competence in the workplace (design logbooks or journals)
- plan to acquire and include evidence from available sources (supervisors, testimonials, portfolios of work previously done) and do not duplicate by re-assessing outcomes where evidence already exists

- focus, for a final integrated assessment with respect to a qualification, on the purpose of the qualification and what selected evidence would demonstrate competence in performing the occupation named in the qualification.

### **3.1.4 Internal and external assessment**

Internal assessment is assessment conducted by a provider. If the certificate of learner achievement is to be recognised nationally on the NQF, legislation requires that a quality assurance body recognised by SAQA must quality assure this assessment. Bodies recognised in this context include SETA ETQAs, the three Quality Councils, (CHE, Umalusi and QCTO) and some professional bodies.

Some such bodies conduct external examinations/assessments (for example, many professional bodies conduct Board Exams). However, many do not conduct assessment, but monitor and moderate external assessments set and conducted by other organisations. (for example, Umalusi monitors and moderates the bodies conducting the Senior Certificate Examination and NQF Level 1 ABET Examinations, the QCTO monitors and moderates the work of its Assessment Quality Partners).

The ETDQA, like most SETA ETQAs, monitors and moderates the assessments conducted by its accredited providers. It expects providers to conduct both internal assessment and internal moderation in compliance with its policies, and it validates the results through its external verification processes. This kind of verification is sometimes called 'external moderation'.

### **3. 2 Principles of good assessment**

The ETDQA expects all those responsible for its assessment processes to be guided by the following SAQA equation illustrating the importance of the principles of good assessment:

FAIRNESS + VALIDITY + RELIABILITY + PRACTICABILITY = CREDIBILITY

The critical overriding principle of assessment is that of ethics: because the results of assessment can lead to an increase in pay, improved career prospects and the like, the principles of assessment should be applied ethically and responsibly.

'Criteria and Guidelines for the Assessment of NQF Registered Unit standards and Qualifications' (SAQA, 2000)

The universal assessment principles of fairness, validity, reliability and practicability form the foundation of the ETDQA assessment policy and underpin its accreditation, evaluation, monitoring, verification and certification processes.

Fairness relates mainly to the **assessment process**. Validity relates mainly to the **assessment design**. Reliability relates mainly to the **conduct of the assessment**. And practicability relates mainly to the **financial and time implications** of assessment.

### 3.2.1 Fairness

A fair assessment should not in any way hinder or advantage a candidate. Examples of unfairness might include:

- unequal opportunities or resources;
- biased assessment (e.g. in relation to ethnicity, gender, age, disability, social class, language);
- assessor assumptions about the candidate, based on previous performance;
- unethical behaviour by the assessor, candidate or other person involved (threats, bribes, copying, leaking of confidential information, etc.);
- any irregularities in the conduct of the assessment;
- a lack of transparency about the assessment process; or
- ambiguous or unclear assessment instructions.

Language must not be a barrier to assessment. Learners have a right to be assessed in a language of their choice whenever possible. Learners should generally be assessed in a language they are most proficient in; which may be any one of the eleven official languages of South Africa. Learners have a

right to an interpreter for an assessment, unless the assumption for the unit standard is competency within the language of assessment, and where the language of assessment is different to that of the candidate.

### **3.2.2 Validity**

A valid assessment really assesses the competencies it claims to assess. In order to achieve validity in the assessment, assessors must:

- ensure that the selected assessment instrument really targets the selected outcomes/unit standards;
- ensure that the assessment method is 'fit for purpose'; and
- ensure that the rules of evidence have been applied.

### **3.2.3 Reliability**

A reliable assessment is one that is consistent with other assessments made by the same and/or other assessors in relation to the same unit standard or qualification. Consistency means that comparable judgments are made in the same (or similar) contexts each time a particular assessment is conducted. Assessment results should not be perceived to have been influenced by variables such as:

- different assessors interpreting the standards or qualifications differently;
- assessor stress and fatigue; or
- a gradual 'drift' in interpretation of standards due to lack of adequate moderation processes.

### **3.2.4 Practicability**

A practicable assessment is effective without placing unreasonable demands on the relevant role-players. Assessment should be designed to be as effective as possible in the context of what is feasible and efficient in a particular learning programme or RPL process. It should try to avoid unreasonable demands in relation to:

- the time commitments required for the generation, collection, presentation and assessment of evidence involving:
  - the learner;
  - the assessor;
  - third party witnesses (mentors, line-managers, coaches);and

- evidence facilitators, RPL advisors and others involved in advice and support.
- financial implications for the employer or provider in relation to, for example, releasing the personnel listed above for lengthy periods; and
- financial implications for the employer or provider in relation to suspending or slowing the effectiveness of the normal use of machinery, tools other equipment, facilities and human resources.

### **3.3 Rules of Evidence**

In order to make a rational assessment decision about the award of credits or qualifications, the assessor must evaluate the evidence presented. This evaluation is governed by the following rules of evidence:

Evidence must be:

- sufficient (Does it meet the requirements of the unit standard(s) or qualification, in terms of outcomes, range statements etc?);
- valid (Does the evidence truly demonstrate the competence that it claims to demonstrate?); and
- authentic (Was the evidence really produced by the learner being assessed?)
- current (is the evidence recent enough to demonstrate current competence?)

The ETDQA expects all those responsible for its assessment processes to be guided by the rules of evidence as listed above.

### **3.4 Frequency of assessments**

ETDQA accredited skills development providers shall conduct assessments at planned intervals, (for example, after the completion of learning representing approximately 30 credits) or significant milestones (upon the completion of a module or single or linked groups of core, elective or fundamental unit standards). The timing and focus of these assessments must be recorded in an assessment plan which should be given to learners as part of the course/programme outline on registration.

### **3.5 The roles and responsibility of the skills development provider**

The ETDQA accredited skills development provider must:

- a) Establish and implement an assessment policy including all the elements outlined in the ETDQA assessment guidelines document
- b) Ensure that assessors that conduct assessment are registered with the ETQA for the standards and qualifications they are assessing
- c) Ensure that the full range of unit standards or exit level outcomes are assessed and their relevant assessment criteria applied
- d) Develop an assessment plan covering each unit standard, qualification or learning programme (skills programme or learnership) outlining the different assessment methods, timing, evidence requirements, weighting, etc.
- e) Ensure that the assessment plan includes assessment tasks that integrate linked knowledge and skills across unit standards wherever possible (there should not be separate assessment tasks for each outcome or assessment criterion)
- f) Ensure that the assessment practices are valid:
  - o The types of methods and instruments used are varied and appropriate
  - o The outcomes being assessed are clearly stated and the instruments really assess these outcomes
  - o Knowledge and skills assessed relate to the purpose of the unit standard(s) or qualification;
  - o The evidence collected is authentic, sufficient and current
- g) Ensure that the assessment practices are fair:
  - o Assessments are not biased in terms of ethnicity, gender, age, context, etc.
  - o Language in the assessment is appropriate to the level of the learner
  - o Learners are adequately prepared for assessments events
  - o Learners are given adequate support longer term assessment tasks like portfolios
  - o Formative assessments are used continuously to enhance the quality of teaching and learning
  - o Learners are given constructive feedback on assessment results
  - o Learners have a right to appeal
- h) Ensure that assessment practices are reliable:
  - o Assessors and learners are provided with clear assessment instructions

- Assessors interpret unit standards and/ or qualifications consistently
- Sufficient evidence is gathered
- Assessment results are moderated
- i) Ensure that assessments are properly administered
  - Learners are informed about the assessment plans, the right to appeal, re-assessment opportunities, time frames
  - Appropriate logistical arrangements are made
  - Recording procedures are adequate and accurate
  - Adequate security arrangements are made to avoid irregularities.

### **3.6 Roles and responsibilities of assessors**

ETDQA registered assessors must:

- a) abide by the ETDQA's 'Code of conduct for assessors';
- b) plan and conduct assessment as outlined in the Unit Standard entitled 'Conduct Outcomes-based Assessment', Level 5, ID 115753;
- c) assess learners against the relevant unit standard(s) and/or qualification(s);
- d) be guided by the provider's assessment plan, guide, tools and reporting format;
- e) assess in a fair and transparent manner, avoiding bias and addressing barriers to learning;
- f) judge evidence observing the rules of evidence;
- g) give constructive feedback to learners; and
- h) give feedback to moderators on the unit standard(s) and/or qualification(s), as well as any difficulties pertaining to the conditions at the assessment venue or other factors possibly undermining the validity of the assessment results.

## **PART 4: MODERATION**

Moderation is a key element of a credible assessment system.

Moderators who carry out the moderation function for standards and qualifications in the ETDQA primary focus must be registered with the ETDQA.

### **4.1 Definitions**

#### **4.1.1 Moderation**

Moderation is a process that ensures that assessments conducted by registered assessors meet the specified outcomes as described in the NQF standards and qualifications, and are fair, valid and reliable. Moderation of assessments organised and conducted by a provider is a SAQA requirement for provider accreditation. This is sometimes called 'internal' moderation, as the process is the responsibility of the provider.

Just as internal assessment is distinguished from external assessment, a distinction is made between various types of moderation. These include 'internal' moderation (see paragraph above), and 'external' moderation (usually referred to as verification of learner achievements in the ETDQA SETA).

#### **4.1.2 Internal and external moderation**

The purpose of internal moderation is to ensure that assessments conducted in relation to programmes offered by a single skills development provider are consistent, accurate and well-designed. This process is covered in this section.

The process of internal moderation conducted by providers should identify areas where assessments are inconsistent or irregularities have occurred. Accredited providers must follow up on moderation reports and ensure appropriate steps are taken to ensure that problems are addressed timeously.

Providers may train and register members of their own staff or bring in registered moderators from outside to perform the function.

External moderation or verification of learner achievements for standards and qualifications allocated to it by SAQA is conducted and managed by

the ETDQA. This process is covered in a separate document entitled 'ETDP SETA Verification Policy.'

## **4.2 Principles guiding moderation policy**

The principles that guide good assessment must also be applied in all moderation practices. ETDQA registered moderators must apply these principles whether moderating an actual assessment (live event), the records of assessment provided by the assessors together with the results (past event), or the instrument(s) used.

Fairness and reliability are the key principles to be applied in the moderation of the assessment process. In addition, the rules of evidence used for assessment must be applied consistently throughout the moderation process.

Fairness and validity are the most important considerations in the moderation of the assessment instrument(s). And the moderation of practicability will entail following up on any negative impacts relating to the financial and time implications of assessment.

## **4.3 Developmental aspect of moderation policy**

The ETDQA is committed to strive for the continuous improvement of assessment and moderation practitioners, processes and procedures.

### **4.3.1 Clear procedures and user-friendly templates**

Moderation procedures must be simple, clear and well-documented to enable assessors and moderators to use them effectively; they must include sections for feedback to assessors as well as recommendations, comments and questions.

### **4.3.2 Professional development of assessors and moderators**

Providers should make sure that their assessors are informed of any changes in relevant unit standards or qualifications, and are aware of new or updated policies or guidelines. Internal moderators should meet regularly with their assessors to give and receive feedback on their work. The ETDQA

will receive and document feedback and recommendations from its verifiers on the procedures and templates and evaluate and review these documents in response to the feedback every three years.

#### **4.4 Frequency of moderation**

ETDQA accredited skills development providers shall conduct moderation at planned intervals, (for example, after the completion of learning representing approximately 30 credits) or significant milestones (upon the completion of a module or single or linked groups of core, elective or fundamental unit standards).

ETDQA constituent providers must ensure that a sample of all assessments conducted is moderated, with the aim of enhancing the quality of assessments in the ETD sector. Guidance on the criteria used for selecting the sample is provided in the ETDP SETA's 'Guidelines for Moderation.'

Time-frames should be linked to the time-frames for assessment and there should be deadlines for turnaround times for feedback to learners. Feedback should be prompt enough to help learners to correct problems and perform optimally in the next section of their programme. Moderators should check on turn-over time for feedback (how long the learners are waiting for feedback after the assessment has taken place) when they moderate assessments.

#### **4.5 Roles and responsibilities of ETDQA accredited skills development providers**

The ETDQA accredited skills development provider must:

- a) establish and maintain a quality management system that will regulate assessment and moderation within the organisation;
- b) establish and implement a moderation policy including all the elements outlined in the ETDP SETA moderation guidelines document;
- c) conduct moderation at planned intervals recorded in the moderation plan which must be made available to EDQA verifiers on request;
- d) conduct moderation during design phase, implementation phase and review phase;

- e) conduct moderation in line with the relevant unit standards and qualifications and the principles of good assessment, observing the rules of evidence;
- f) moderate at least 10% of assessments, and justify the criteria used to select the sample;
- g) ensure that the personnel conducting assessments and moderation are registered with ETDQA as constituent assessors and moderators;
- h) have procedures and systems for dealing with irregularities in assessments and moderation;
- i) have a learner appeal system and inform learners about their right to appeal and the processes to follow;
- j) provide feedback to assessors and ensure that professional development takes place;
- k) cooperate with the ETDQA in relation to verification visits and processes; and
- l) provide proof of appointment of internal moderator at all times.

#### **4.6 Roles and responsibilities of ETDQA registered moderators**

The person designated by the provider as responsible for internal moderation must:

- a) be registered with the ETDQA as an assessor and as a moderator;
- b) be a subject matter expert in the area of the unit standards and/or qualifications being assessed;
- c) establish or work within an existing internal moderation system;
- d) plan and prepare for moderation with other moderators and assessors within that system;
- e) monitor consistency of assessments records;
- f) moderate new assessment instruments or tasks;
- g) establish and monitor the implementation of procedures for selection of samples of assessments for moderation;
- h) moderate an agreed percentage of assessments in line with the process outlined in the ETDPSETA 'Guidelines for Moderation';
- i) monitor the accurate recording, reporting and administration of moderation;
- j) ensure that the assessment being moderated is authenticated as being the work of the person identified as the assessor;
- k) provide appropriate support, advice and guidance to assessors;
- l) coordinate assessor meetings;
- m) generate and monitor moderation reports on a continuous basis;
- n) liaise with ETDQA verifiers;

- o) give feedback to the ETDQA on unit standards and qualifications;
- p) record and report on irregularities and actions taken in this regard; and
- q) review moderation systems and processes.

## PART 5: CRITERIA FOR ASSESSOR AND MODERATOR REGISTRATION

### **5.1 Criteria for registration of ETDQA constituent assessor**

The ETDQA shall approve application to be registered as an ETDQA constituent assessor if the applicant can provide proof of the following:

- achievement of unit standard 115753 'Conduct Outcomes Based Assessments' or 7978 'Plan and Conduct Assessment of Outcomes Based Learning Outcomes';
- competency in relation to the unit standard(s) and/or qualifications for which they apply to be registered at (or preferably above) the level of the said standard(s) and/ or qualification;
- two years relevant occupational experience/ expertise; and
- relevant subject matter expertise.

### **5.2 Duration**

Assessors and will be registered for a period of three (3) years, starting on the date of registration.

When a new version of a registered standards or qualifications is included in the ETDP SETA accreditation scope to replace expiring registered standards and/or qualifications, the ETDP SETA shall require assessors to apply for the extension of scope of registration to include the new standards.

### **5.3 Criteria for registration of ETDQA constituent moderator**

The ETDQA shall approve application to be registered as an ETDQA constituent moderator if the applicant can provide proof of the following:

- registration as an ETDQA constituent assessor (current)
- achievement of unit standard 115759 'Conduct moderation of outcomes based assessment or 7977 'Conduct Moderation'
- two years of relevant occupational experience particularly in the design and implementation of assessments
- relevant subject matter expertise

### **5.4 Duration**

Moderators will be registered for a period of 3 years.

When a new version of a registered standards or qualifications is included in the ETDP SETA accreditation scope to replace expiring registered standards

and/or qualifications, the ETPD SETA shall require moderators to apply for the extension of scope of registration to include the new standards.

### **5.5 Assessor and Moderator Registration procedure**

Applications to be registered as constituent assessor or moderator shall be submitted and processed according to the following procedure:

- a) The applicant must request the assessor /moderator registration form from the ETPD SETA provincial office OR download the registration forms from the ETPD SETA website;
- b) The applicant will complete the form and submit to the ETPD SETA Provincial Office, together with the required documentation;
- c) The Provincial Office will upon receipt of the application record and evaluate the application to ascertain compliance to the ETPD SETA criteria;
- d) If the application meets the ETPD SETA requirements the applicant will be registered as an ETD constituent assessor/ moderator on the SETA's national database. A notification letter will be sent to the applicant informing them of their registration status; and
- e) If the application is unsuccessful a notification letter will sent to the applicant informing him or her about the reasons for not being registered.

### **5.6 Criteria for re-registration as assessor and moderator**

Registered assessors and moderators must complete and submit the assessor/ moderator re-registration form at least a month prior to the expiry of registration in order to avoid a period of non-registration.

### **5.7 Extension of scope of registration**

- Registered assessor may apply for extension of scope of unit standards/ qualifications which they are registered to assess or moderate if they are able to demonstrate that they have achieved the technical competence in the additional unit standard/ qualifications.
- The application for extension of scope of registration has to be made on the Assessor/ Moderator Application Form.

## **5.8 De-registration of assessors and moderators**

The ETDP SETA shall de-register assessor and moderators if there is sufficient evidence which indicates that the assessor or moderator has been involved in irregularities that put the validity and reliability of the assessments decisions made by the assessor and/or moderator in question at risk.

The skills development provider with which the assessor or moderator is associated shall be responsible to implement the required preventative or corrective action to safeguard the validity and reliability of assessments or moderation decisions being made by the assessor or moderator in question in the interest of the affected learners.

## **5.9 Appeals against decision not to register or to withdraw registration from assessors or moderators**

### **5.9.1 Reasons for Appeals**

The prospective assessor/ moderator must provide evidence indicating that the ETDP SETA has not considered his/ her application in a fair and just manner.

### **5.9.2 Procedure for Appeals**

- The assessor/ moderator must lodge an appeal with the skills development provider.
- The skills development provider must escalate the appeal to the ETDP SETA.
- The ETDP SETA will conduct an investigation and make a decision. The information will be given to the provider and the appellant.
- If the assessor/ moderator is still aggrieved by the decision of the ETDP SETA the assessor/ moderator may lodge an appeal with SAQA.

## **PART 6: APPEALS AND COMPLAINTS**

### **6.1 Purpose of the appeals policy**

The aim of the appeals policy is to ensure that:

- a) Unfair assessment decisions are corrected;
- b) Concerns about unethical behaviour and/or unfair processes and practices are investigated and problems are identified and addressed;
- c) The credibility of ETDQA assessments is assured; and
- d) The integrity of the assessment system is maintained.

### **6.2 Guiding principles for addressing appeals and complaints**

- a) Appeals should be settled as near to the point of origin as possible.
- b) Reasonable concerns of learners are addressed speedily.
- c) Assessors, moderators and designated providers management must endeavour to ensure that assessment related problems and concerns are resolved internally. Learners should lodge an appeal or complaint after all other usual channels of communication have been exhausted.
- d) If the provider is unable to resolve the learner's complaint, a formal appeal must be lodged by the learner with the Manager of the ETDQA.
- e) Other relevant parties may use the ETDQA appeals system to lodge complaints if they are aware of anything which undermines the integrity of the assessment process within a specified provider context.
- f) There should be no reprisals or victimisation taken against any learner lodging an appeal, or against any other person lodging a complaint.

### **6.3 Reasons for appeals**

The appeal system allows learners (or other relevant parties) to bring to the attention of the skills development provider appeals panel (or the ETDQA if necessary) specific instances where they have evidence of unethical behaviour or unfair or inequitable conditions, processes or practices related to the assessment process conducted by an ETDQA accredited provider. Examples include:

- a) invalid, unreliable and unfair assessments;

- b) bias in the assessor's or moderator's judgements;
- c) inadequate expertise and experience of the assessor if it influences the assessment; and
- d) unethical practices (for detailed examples, see SAQA, 2001: 'Criteria and Guidelines for Assessment of NQF Registered Unit Standards and Qualifications').

#### **6.4 Roles and responsibility of the skills development provider**

ETDQA skills development providers must:

- develop and publish a learner appeals policy and procedures for the organisation;
- inform and advise the learner about the appeals and procedures;
- inform learners about their rights and responsibilities; and
- provide the ETDP SETA with all relevant information about unresolved appeals and complaints.

#### **6.5 Rights and responsibilities of learners**

##### **6.5.1 Learners' rights**

- a) Learners should be assessed against each unit standard (or coherent group of linked standards) and/or qualification for which they are registered.
- b) Learners' assessment should address each specific outcome contained within a unit standard, and all assessment criteria and range specified within the unit standard should be taken into consideration in the assessment design. The unit standard contains all the information and criteria necessary for assessment.
- c) Once they have been found competent against a unit standard or qualification, learners will be certificated for that unit standard or qualification.
- d) Learners have a right to an interpreter for an assessment unless one of the assumptions for the unit standard is competency within the language of assessment, where the language of assessment is different to that of the learner.
- e) If learners are found 'not yet competent' as a result of the assessment, they will be given specific feedback regarding the areas of shortfalls, and will be guided and informed on how to address identified gaps.
- f) Learners have a right to access to their assessment records.

- g) If learners do not agree with the assessment decision, they have the right to ask that the assessment be moderated (if not already done).
- h) If after the moderation learners still do not agree with the results of the assessment, they have the right to lodge a formal appeal with the provider.
- i) If the issue is still not resolved to the satisfaction of the learner, or if the learner's complaint is against the skills development provider in question or one or more of its employees, he/she has the right to lodge a formal appeal with the ETDQA, providing reasonable grounds for the complaint and furnishing evidence in support of it.
- j) Confidentiality regarding learner's assessment and assessment results must be maintained, and only authorised parties should have access to this information during the appeals process.

### **6.5.2 Learners' Responsibilities**

- Learners have the responsibility of familiarising themselves with the provider's policies regarding assessment.
- Learners have the responsibility of familiarising themselves with the kinds of assessment activities that they would be asked to perform, the standard and level of performance expected, the type and amount of evidence to be collected and their responsibility regarding the collection and presentation of evidence.
- Learners are responsible for their own readiness for assessment or re-assessment, and for agreeing to arrangements for the date and time of the assessment and any re-assessment offered.

## **6.6 Appeals procedures**

### **6.6.1 Appeals procedures at the level of the skills development provider**

The following procedures must be in place:

- a) The learner may lodge a complaint or appeal about the disputed assessment results directly to the provider, using the correct form and supplying all necessary information.
- b) The provider will attempt to resolve the issues to the satisfaction of all parties concerned.
- c) If the matter is not resolved, the provider management must refer the matter to the Manager ETDQA.

- d) The learner or other plaintive must be informed that the ETDQA will institute further investigation into the matter, and will take appropriate action.
- e) The learner or other plaintive must be informed that, should they not be satisfied with the decision taken by the ETDQA, they have the right to refer the matter to SAQA (see SAQA, 2001: Criteria & guidelines for the Assessment of NQF Registered Unit Standards and Qualifications).

## **PART 7: IRREGULARITIES**

### **7.1 Purpose**

The aim of this policy is:

- To identify the most common forms of irregularities
- To advise skills development providers about the appropriate course of action when dealing with irregularities

### **7.2 Unacceptable practice and irregularities in assessment**

All irregularities reported to, or complaints or appeals formally lodged with an ETDQA accredited skills development provider must be recorded, together with a record of action taken and reported to the ETDP SETA.

#### **7.2.1 Irregularities resulting from defects in the assessment and moderation management systems of the skills development provider**

The following list illustrates the kinds of irregularities which might occur if a provider has inadequate assessment and moderation management systems or incompetent or poorly trained assessors or moderators. These are **examples** – there are endless possible irregularities which might adversely affect the credibility of assessments.

- a) Assessment instruments were not available: the assessment instruments and assessment specification for qualifications and/or unit standards were not available for scrutiny by the moderator or verifier.
- b) Assessment instruments were inappropriate: the assessment instruments selected did not assess the relevant outcomes validly, e.g. a practical outcome, which should have been assessed by a practical assessment was assessed by a written test.
- c) No evidence or insufficient evidence of the learner competence was supplied.
- d) The learner's performance was judged inappropriately: the assessor incorrectly interpreted the evidence supplied by learner and judged the learner competent when the standard specified in the assessment criteria had not been met, or not yet competent when the standard had been met.
- e) No record of learner's achievement: the skills development provider failed to keep records about learner's performance.

- f) Moderation arrangements were unsatisfactory: for example, the moderation plan and moderator's reports were inadequate; the skills development provider failed to show that the results were consistent between assessors; the moderation sample was insufficient or not targeted according the ETDP SETA policy; the assessment instruments were not moderated.

#### **7.2.2 Unethical behaviour by the learner:**

- Cheating, copying or accessing assessments in advance in cases of written tests and examinations;
- Bribing, blackmailing, threatening or harassing the assessor or others involved in the assessment process;
- Offering third party witness statements, references, historical records, certificates or other forms of evidence that were not authentic.

#### **7.2.3 Unethical behaviour by an assessor:**

- Not declaring a family or business relationship with a learner;
- Responding to bribes, threats, etc. by favouring or disadvantaging any learner over any other candidate;
- Allowing personal bias (e.g. in relation to race, class, gender, educational background, ethnicity or religion) to influence assessment judgements;
- Not making appropriate arrangements for learners with disabilities or language disadvantages (unless the assessment is focusing on the language in question).

#### **7.2.4 Unethical behaviour by a moderator:**

- Responding to bribes, threats, etc. by ignoring irregularities detected in a learner or assessor;
- Allowing personal bias (e.g. in relation to race, class, gender, educational background, ethnicity or religion) to influence moderation judgements.

#### **7.2.5 Unethical behaviour by a skills development provider:**

This includes aiding and abetting learners, assessors or moderators in any of the above behaviours.

### **7.2.6 Unethical behaviour by a verifier or other employee or representative of the ETDQA**

- Responding to bribes, threats, etc. by favouring or disadvantaging any learner over any other learner;
- Allowing personal bias (e.g. in relation to race, class, gender, educational background, ethnicity or religion) to influence the award of learner achievements; and
- Allowing personal likes and dislikes, relationships etc. to influence the award of learner achievements.

## **8. PENALTIES**

### **8.1 In response to irregularities resulting from defects in the assessment and moderation management systems of the skills development provider**

If the ETDQA accredited provider fails to comply with SAQA's requirements or the ETDQA SETA's assessment and moderation policies, steps will be taken to begin the process of de-accreditation of the said skills development provider. If the defects are comparatively minor, a short period of grace may be allowed for the provider to address all areas of compliance and avoid de-accreditation. If the defects are many and significant or involve intentional defiance of the requirements, accreditation will immediately be suspended, pending the formal process of termination of accreditation.

In such cases alternative arrangements will have to be made for learners registered with that provider so that the learners may still be trained and assessed in a valid manner by a provider which is accredited and competent to perform these functions.

### **8.2 In response to unethical behaviour by the learner**

The ETDQA SETA will not award credits or a qualification to a learner if the SETA appeals and the appeals panel finds that the assessment result is invalid as a result of the learner's own unethical behaviour. If already awarded, the credits or qualification may be withdrawn if the learner was clearly only found competent as the result of this unethical behaviour.

### **8.3 In response to unethical behaviour by an assessor or moderator**

If the ETDQA registered assessor or moderator fails to comply with the ETDQA SETA's code of conduct, steps will be taken to begin the process of de-registration from the said assessor or moderator.

### **8.4 In response to unethical behaviour by a skills development provider**

Such instances will incur the penalty outlined in 8.1, above.

### **8.5 In response to unethical behaviour by a verifier or other employee or representative of the ETDQA**

If the ETDQA staff member or verifier is shown to be involved in unethical behaviour that undermines the credibility of ETDP SETA statements of results and certificates, the ETDP SETA will have no option but to terminate the contract, after following all due process, in compliance with all relevant labour legislation. If criminal acts have been committed, the matter will be referred to the South African Police Services.

## DEFINITIONS

The definitions of the terms below apply to their use in this policy document

- "accreditation" means the certification, usually for a particular period of time, of a person, a body or an institution as having the capacity to fulfil a particular function in the quality assurance system set up by the South African Qualifications Authority in terms of the SAQA Act
- "accreditation scope" means the list of qualification(s) and/or unit standard(s) for which a body is accredited for a defined purpose
- "assessor" means the person who is registered by the relevant Education and Training Quality Assurance body in accordance with criteria established for this purpose by a Standards Generating Body to measure the achievement of specified National Qualifications Framework standards or qualifications, and "constituent assessor" has a corresponding meaning
- "Education and Training Quality Assurance body" (ETQA) means a body accredited in terms of section 5(1)(a)(ii) of the SAQA Act, responsible for monitoring and auditing achievements in terms of national standards or qualifications, and to which specific functions relating to the monitoring and auditing of national standards or qualifications have been assigned in terms of section 5(1)(b)(i) of the SAQA Act
- "high-stakes assessments decision" means an assessment decision that has consequences with significant implications for the life opportunities, safety and well-being of learners or other people
- "moderation" means the process which ensures that assessment of the outcomes described in National Qualifications Framework standards or qualifications is fair, valid and reliable
- "moderator" means someone who is competent to conduct a moderation process
- "primary focus" means that activity or objective within the sector upon which an organisation or body concentrates its efforts
- "skills development provider" means a body that delivers learning programmes which culminate in specified National Qualifications Framework standards or qualifications and manages the assessment thereof
- "quality assurance" means the process of ensuring that the degree of excellence specified is achieved

- "registered standards" means unit standards or qualifications registered on the National Qualifications Framework
- "registration scope" means the list of registered standards for which an assessor or moderator is registered with the ETDP SETA as an assessor or moderator.