Registration Code of Practice (RCoP) fourth edition: summary of key changes

Introduction

This report summarises the main changes made to the RCoP during the course of the Standards Review programme 2018-2020. Section 1 deals with general changes to the document; Section 2 deals with specific changes, additions and removals with respect to the previous version of RCoP (v3.3).

The RCoP Working Group (WG) met six times between February 2018 and September 2019, and contributed to the drafting process by email and phone. Meetings initially focused on general aims of the project, then on preparing consultation drafts and questions and finally on incorporating consultation feedback, debating specific items, and drafting the document.

Two consultations were held. Unlike the other review projects, these were opened only to Licensees, in line with the WG's recommendation and agreement from the Registration Standards Committee (RSC). Both consultations made a draft of RCoP available, alongside accompanying preambles and questions, to the Licensees of the Engineering Council.

It was the express ambition of the WG that the document should be made more general, simpler, and easier to navigate. The WG also aimed, wherever possible, to take sections that were process-based rather than regulatory and recommend that they be moved to a more appropriate document. This resulted in a significant shortening of RCoP.

Section 1: summary of changes

In the preceding versions of RCoP, the section headings used contributed to the sense of Chartered Engineer and the Masters degree as the 'standard' category and route, and other categories and routes variations thereon. The WG sought to address this with a new set of headings and subheadings that lays out each route to demonstrating underpinning knowledge and understanding, competence and commitment as evenly as possible.

The new layout, headings and ordering of sections was intended to improve the flow of RCoP and make it easier for readers to find relevant regulations.

A summary of the broad amendments to the prior published edition of RCoP follows. These changes are reflected throughout, rather than in specific clauses or sections.

a. Redrafting for accessible language and clarity of internal logic/structure.
b. Removal of biases towards 'traditional' routes to registration, targeting parity of esteem for each of the routes.
c. Removal of references to 'EU law' in the sections on recognition and international agreements, referring instead to 'national and international legislation' and 'recognised international qualifications or credentials'.
d. Reorganisation of RCoP, with more descriptive headings and new subheadings for ease of reference. It should be noted that there is now little crossover between former and current paragraph numbering in this document.
e. A refresh of the section on approval and accreditation of learning. This now refers to recognition of programmes of learning, and recognition outcomes. Recognition can either be approval (attesting to a programme's syllabus delivering specified learning outcomes) or accreditation (attesting to the specific delivery of a programme). [paragraphs 26-58]
f. Sundry minor clarifications, reformulations and corrections, with no changes to regulations, emphasis or focus.

A list of more specific amendments follows. The most substantive, or those that involved significant discussion within the WG, at RSC, or beyond are considered in more detail in the next section. Paragraph references refer to the new RCoP (fourth edition) rather than the prior document.

a. Addition of a requirement that each Licensee have in place a suitable management system and a self-assessment process. [paragraph 6]
b. A regulation on the use of Interim Registration. [paragraph 13]
c. Consolidation of regulations on the initial assessment of a candidate into a single section. [paragraph 14-16]
d. Enforcing the successful recommendation of the initial assessors *before* a candidate proceeds to interview. This does not substantially change the practice, but codifies the implied ordering of the stages of professional review. [paragraph 18]
e. Allowing one of the Professional Review interview assessors to be of a different registration category from the candidate. [paragraph 20]
f. Allowing use of a language other than English to clarify a point at interview, in line with RSC decision. [paragraph 21]
g. Clarification of the circumstances under which an unsuccessful applicant for registration may lodge an appeal. [paragraph 25]

h. Rationalisation of the section on the Technical Report Route (with no amendments to the regulations.) [paragraph 28-32]

i. Enabling the recognition of programmes based on delivery of professional competence, in addition to or instead of delivery of knowledge and understanding.(In line with amendments to AHEP and AAQA.) [paragraph 33-45]

j. Addition of a requirement that Licensees appoint a committee or board that takes the decisions about whether or not a programme of learning will be accredited or approved. (In line with AHEP.) [paragraph 40]

k. Removal of references to specific types of qualification (eg NVQ, BTEC etc.) Since v3 of RCoP these have been superseded by more illustrative and direct examples in AHEP and AAQA. Indicative examples of exemplifying qualifications are also given in UK-SPEC. The WG identified as a risk the inclusion of specific qualifications in the regulations, which could be taken as endorsement thereof.

l. Addition of a paragraph explaining the requirements on compensation and condonement within degree programmes. The wording for this requirement was taken directly from regulatory guidance previously approved by RSC. [paragraph 45]

m. Backdating of accreditation to cover cohorts whose work was examined as part of the recognition process was an established process in RCoP v3. The word 'exceptionally' was removed to indicate that this process no longer required express consent for RSC in every case, subject to such decisions being fully documented, transparent and auditable. [paragraph 49]

n. Licensees had been required, under RCoP v3, to directly inform learners in the event that the programme of learning they were following had its recognition removed. This was changed to a requirement that the Licensee require that the training provider informed the learners, in light of the GDPR and general feasibility of the prior regulation. [paragraph 54]

o. Updates to the section on Initial Professional Development (IPD) recognition, to reflect the publication of the IPD Policy Statement. [paragraph 59-67]

p. Updates to the section on Continuing Professional Development (CPD); in particular the requirement that Licensees undertake an annual sample, and impose sanctions on registrants who persistently refuse to engage with the process. [paragraph 65-67]

q. Removal of the facility for changing the level of Professional Registration during the course of the Professional Review Interview (PRI) (paragraph 16 in RCoP v3). It should be noted that this does not preclude assessors from recommending that the Professional Review resume at the more appropriate level. However, assessors may no longer 'fail' a candidate during the course of an interview.

r. Paragraph 12 in the current RCoP, the 'summary of registrant requirements', has been removed.

Section 2: detail on changes and decisions

Interim Registration
While the option of Interim Registration is outlined in the Charter and Bye-Laws, there was no mention of it in RCoP v3. While this did not represent a risk from a regulatory standpoint, it had been identified as a possible reason for the scarce application of the facility by Licensees.

This is based closely on the section of the Charter and Bye-Laws on Interim Registration, and addresses a perceived gap in the regulatory structure.

Recommending registration under a category other than that applied for
The previous version of RCoP enabled a PRI to be switched to a different category of the Register after it has started. This is intended to apply to candidates who do not meet the threshold for a certain category but might meet that of another. In practice, this means switching to interviewing for IEng when a candidate is demonstrably not meeting the competences for CEng. No mention is made of changing interview categories either in the Bye-Laws or elsewhere in the Standard.

Following a discussion at the RCoP WG's first meeting, it was proposed in the consultation draft that, for clarity's sake, the interviewers should make their intentions clear and announce the commencement of a new interview rather than segueing from one category to another. While the consultation question proposed this additional clause, the responses all concerned the more fundamental question about whether this mechanism was appropriate at all.

While some Licensees reported making occasional, successful use of this facility, the strong weight of opinion was that it represented a 'shortcutting' of the intended process, whereby the interviewers make a recommendation to a committee, which takes the final decision. Changing an interview to a 'lower' level amounts to the interview assessors summarily 'failing' the applicant'. It was agreed that the facility would be removed in the fourth edition of RCoP.

Professional Review Interview assessor registration levels
The previous version of RCoP specified, at paragraph 13, that the two professional review interviewers 'shall be registrants *at or above* the registration category in which the applicant is seeking registration, with at least one having substantial experience in the relevant engineering discipline'. One consultation response requested a review of this policy.

> We have very experienced assessors/interviewers at IEng level who are subject matter experts, who are precluded from interviewing CEng applicants because of their registration category. We think this promotes the 'elitism' of CEng over IEng, and does not help the overall perception that IEng is a stepping stone to CEng and not a suitable category in its own right. We propose that at least one of the interviewers is of the same registration category and the second interviewer may be of a different registration category but a subject matter expert.

The WG agreed that the regulation as written might perpetuate an undesirable hierarchy within the categories of the Register.

Domain-specific technical knowledge was not a requirement for a PRI assessor, and the WG affirmed that an experienced assessor would be able to ask questions outside his or her direct specialism and accurately gauge the response. In other words, experience and understanding of the purpose of the interview process was more important than direct experience of the applicant's occupational role.

The WG agreed there was value in exploring whether there was an appetite for enabling, for example, one IEng assessor on a panel of assessors for a CEng candidate. The WG specified that any proposed change to the regulations should still require at least one interviewer being at or above the applicant's intended category.

While the concept of peer review was paramount, there was a parallel debate as to whether 'peer review' implied 'review by a registrant' or 'review by a registrant of the same category'. The WG favoured the former approach and recommended a change to RSC.

While there was some resistance from a 'lowering standards' viewpoint, the weight of responses favoured the change, which was approved by RSC. It was noted that there is no obligation for any Licensee to use any interviewer if there were concerns about that interviewer's suitability.

Professional review appeals
The WG agreed that an appeal against a professional review decision was valid only to the extent that it queried whether the appropriate procedure had been followed. To the extent that the procedure had been followed, the panel's recommendation would stand.

The WG agreed to add a clause clarifying that appeals may apply to the procedure followed, rather than the decision itself.

Approval and accreditation
The section of the RCoP that saw most change during this project was that on the approval and accreditation of qualifications. The preceding editions saw accreditation of degrees as the norm; the status of approval of provision was less well specified. The WG worked to generalise accreditation and approval collectively as 'recognition'. The definitions of approval and accreditation were made clearer. The WG sought, as far as possible, to remove references to specific types of qualification such as degrees, NVQs, BTECs etc. The fact that Learning Outcomes for a range of levels had been published in AHEP and AQAH since the preceding edition of RCoP made this easier: RCoP would refer simply to the Learning Outcomes, rather than attempting to list any and all valid types of provision.

The terms 'approve' and 'accredit' had been defined in RCoP v3 in such a way that they had different meanings or applications depending on the type of programme, eg Degree, qualification, apprenticeship.The WG sought to implement general definitions of either term that would apply to any and all types of recognised learning, including IPD.

Removal of recognition from a programme
While removal of accreditation or approval before its period is complete is rare, there is a risk that learners would enrol on (for example) an accredited degree, and graduate with an unaccredited degree. RCoP v3 required that the Licensees themselves contact the learners in this case and explain the decision taken. This requirement was viewed as impractical before the GDPR came into force, and impossible since. As such the regulation was amended such that Licensees must require that the training provider itself communicate the decision to affected learners.

IPD accreditation
When RCoP v3 was published, there was no mention of IPD recognition in any other Engineering Council regulation or guidance. This meant that much of the IPD section in RCoP was descriptive rather than regulatory, primarily as there were no external document to which to

refer for a definition of the terms involved. Since then, an IPD Policy Statement has been published. This has superseded much of what was in RCoP v3, and allowed for much of the descriptive text to be removed, while the regulatory elements have been updated and clarified in line with the IPD Policy Statement.

CPD and sampling
As with IPD, a dedicated CPD Policy Statement has superseded much of the text on CPD in RCoP v3, much of which was descriptive rather than regulatory. While RCoP v3 contained a requirement that Licensees should 'monitor, through an appropriate review system, the CPD of registrants', the Policy Statement had introduced a requirement that made clear what was expected: an annual random sample of registrants' CPD records. This regulation was reproduced in the fourth edition of RCoP.