

## **Professional Qualifications: Case Study No. 1**

### **Synopsis**

This case study illustrates some of the issues that can arise as a professional institute tries to maintain the relevance of its competence-based qualifications. The tensions between the assessment of traditional and developing areas of professional practice are explored.

The case study also explores some of the issues associated with the assessment of candidates with atypical patterns of previous qualifications and/ or experience.

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As a council member of a regulatory body, you are asked to advise the chief executive on a professional issue. An application for chartered status has been rejected and the candidate appealed. When the appeal was rejected the candidate threatened litigation. While the institute is confident of its position, the CE is concerned that litigation might attract further unwelcome publicity.

### Background provided by the CE (with his annotations in italics)

#### Constitutional position

- Responsibility for the management of the Institute's qualifications is vested in the Qualifications Committee. It oversees the Institute's examinations and recommends candidates for the award of particular qualifications;
- Membership of the Qualifications Committee is usually via nominations from the training divisions of the larger companies in the industry;
- The General Council of the Institute can accept, reject or refer decisions of the Qualifications Committee;
- Membership of appeals committees is drawn from the Qualification Committee.

#### Conditions for the granting of Chartered Membership of the Institute

The Institute recognises five domains of professional activity – four specialist domains (1 to 4) and a core professional domain. Annual examinations are held in all five domains.

The qualifications awarded by the Institute are:

- Student Member;
- Graduate Member – a member who has qualified (by examination or exemption) in all 5 domains;
- Associate Member – a member who has qualified in all 5 domains and is deemed competent in at least two of the specialist domains and the core professional domain;
- Chartered Member – a member who is deemed qualified and competent in all five domains;
- Fellow - only open to Chartered Members who have made a unique contribution to the Institute or the professional domains regulated by the Institute;
- Only the last three grades are able to vote at Institute meetings and committees.

Exemptions are granted to graduates with specialist and other degrees:

- A candidate with an accredited degree that spans all five domains regulated by the Institute is exempted from all of the Institute's examinations. Further, he/ she is automatically awarded Graduate Membership;
- Candidates who have also included an industrial year in an accredited degree course are deemed competent in any relevant specialist domain (exceptionally two specialist domains) and after one year of practice the core professional domain;
- Candidates with other degrees and qualifications may apply for exemption from the examinations for one or more of the specialist domains.

#### *Notes:*

1. *Most candidates for Chartered Membership work for large companies and achieve competence through company training schemes and managed work experience;*
2. *The Institute's scheme of assessment was last revised in 1998.*

## The complainant

The complainant is a non-graduate who entered the profession from school in 1998. After one year's experience with a leading company he became a Student Member of the Institute and studied for the Institute's examinations. He qualified for Graduate Membership of the Institute in 2001 and Associate Membership, *following an appeal*, in 2002. He worked for a second company for a year before leaving to set up his own company. The complainant's company has grown quickly by syndicating work to a large number of Institute members who work from home. It has pushed the boundaries of the profession into new areas of work.

The complainant applied for Chartered Membership this year but was refused. However, he was deemed competent in a third specialist domain. He appealed arguing as follows:

- The outstanding domain (No. 2) is no longer relevant to professional practice. Instead, a fifth specialist domain should be recognised as an alternative or replacement to the outstanding specialist domain.
- His company is founded on exploitation of this "fifth specialist domain".
- Since his company was founded it has not undertaken any work that fell within the outstanding domain (No. 2).
- Assessments of competence in the second specialist domain are becoming increasingly artificial. Candidates who work for large companies are given theoretical exercises to develop and demonstrate their professional competence in the domain.

The letter from the complainant's solicitors indicate that any litigation will be based on the following premises:

1. The outstanding specialist domain is dated and no longer fully reflects contemporary professional practice;
2. A majority of the membership of the Qualifications Committee represent larger companies, with an interest in maintaining the status quo;
3. The Institute's rules discriminate against non-graduates and/ or candidates who do not work for the larger companies in the industry.

Unfortunately, the issue has become acrimonious. The Chair of the Qualifications Committee is on record as saying that she, "will not be dictated to by a candidate from the fringe of the industry, however successful his company. If he wants chartered status so badly he should create his own institute and it should apply for its own charter." Another member has suggested that the proposed fifth specialist domain lies largely outside the traditional domain of interest of the Institute.

The candidate is aware of the Chair's comments and has used his position as a regular contributor to professional journals to take the issue direct to the wider profession. He has attracted support from many younger Graduate, Associate and Chartered Members. There is empirical evidence that university staff who teach accredited degree courses and some training managers support his position. A core of letters to professional journals have suggested that the outstanding specialist domain has declined in relevance but was the origin of many of the principles underpinning traditional professional practice.

MK

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*A paper collating the issues inherent in the complaint and actions available to the CE, in the short and middle terms, will be posted on the **regulatory-landscape.co.uk** website within 3 weeks of the end of the conference.*