

# Information Booklet: Registration of Private Further Education and Training Institutions

Second Edition



**education**

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Department:  
Education  
**REPUBLIC OF SOUTH AFRICA**

# INFORMATION BOOKLET: REGISTRATION OF PRIVATE FURTHER EDUCATION AND TRAINING INSTITUTIONS

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the registration of Private FET Colleges:

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## ABBREVIATIONS AND ACRONYMS

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<b>AET</b>	Adult Education and Training
<b>CHE</b>	Council on Higher Education
<b>CIPRO</b>	Companies and Intellectual Property Registration Office
<b>FET</b>	Further Education and Training
<b>GET</b>	General Education and Training
<b>HE</b>	Higher Education
<b>NQF</b>	National Qualification Framework
<b>SAQA</b>	South African Qualifications Authority
<b>UMALUSI</b>	General and Further Education and Training Quality Assurance Council

# 1. INTRODUCTION

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## 1.1 PURPOSE

One of the responsibilities of the Registrar of Private Further Education and Training (FET) Institutions is to inform the public about the processes and procedures of registration as a private FET institution, as well as the registration status of private FET institutions. In order to fulfil this function, the Department of Education developed this document called Information Booklet: Registration of Private Further Education and Training Institutions. This booklet consists of a number of responses that the Department has developed on the basis of questions frequently asked (FAQ's) by private institutions, students, parents, employers, banks and the media.

## 1.2 THE LEGAL FRAMEWORK

The Department of Education is charged with the responsibility of implementing the legal framework for regulating the provision of qualifications that are registered at NQF Levels 2 to 4 by private institutions. Providing this legal framework are the following pieces of legislation:

- Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).
- Further Education and Training Act, 1998 (Act No. 98 of 1998) (hereafter referred to as "the Act").
- Regulations for the Registration of Private Further Education & Training Institutions, 2003 (hereafter referred as "the Regulations").

In terms of the Constitution, everyone has the right to establish and maintain, at their own expense, independent educational institutions that:

- do not discriminate on the basis of race;
- are registered with the state; and
- maintain standards that are not inferior to standards at comparable public educational institutions.

The Act and the Regulations provide that no person other than a public further education and training institution or an organ of state is allowed to offer FET qualifications unless such a person is registered or provisionally registered as a private FET institution with the Department of Education. In terms of the Act, the Director-General is the Registrar responsible for the registration of private FET institutions. The requirement to register as a private FET institution only applies to private institutions offering qualifications (i.e. certificates) that are registered at levels 2 to 4 of the NQF.

As it has been indicated above, the registration dealt with in this booklet is limited to private institutions that offer FET qualifications and students enrolled for these qualifications. In order to understand the location of the FET band in the NQF, it is important to read the following brief description of the NQF.

### **1.3 THE NATIONAL QUALIFICATIONS FRAMEWORK**

Education and training in South Africa is provided in three bands of the NQF, namely, General Education and Training (GET), Further Education and Training (FET) and Higher Education (HE).

#### **1.3.1 General Education and Training**

The GET band includes education and training provided by primary and secondary schools from Grade R to 9, as well as Adult Education and Training from Levels 1 to 4. The registration of institutions operating in this band as independent or private schools and independent or private adult learning centres is performed by the Provincial Departments of Education.

#### **1.3.2 Further Education and Training**

The FET band refers to education and training provided by high schools from Grade 10 to 12. It also refers to vocational education and training programmes that lead to the award of qualifications that are registered at Levels 2 to 4 of the NQF. Independent or private schools offering Grades 10 to 12 must be registered with the Provincial Departments of Education, depending on the geographical location of the school. The registration of private FET institutions is the responsibility of the national Department of Education. In terms of Government Notice No. 537 published in the Government Gazette No. 27660 of 6 June 2005, the Minister of Education made a call to all existing private institutions that offer qualifications that are registered at Levels 2 to 4 of the NQF to lodge their applications for registration by 30 May 2006. This announcement marked the beginning of the process of registration of private FET institutions.

#### **1.3.3 Higher Education**

The Higher Education band refers to post-grade 12 or tertiary education provided by universities, universities of technology and technikons. Private institutions that offer or wish to offer university and technikon equivalent qualifications that are registered at Levels 5 to 8 of the NQF) must also be registered with the Department of Education. The process for registration of private higher education institutions is already in place.

Given the structure of the NQF it is important for parents, students and the managements of private institutions to understand in which band their institutions are operating or intend to operate.

## 2. FREQUENTLY ASKED QUESTIONS

The FAQ's in this brochure are divided into the following five categories:

- (a) Questions from providers
- (b) Questions from students
- (c) Questions from employers
- (d) Questions from banks
- (e) Questions from the media

Private institutions should read this booklet in conjunction with the Guide for Completing the Application for Registration as a Private FET institution (FPX-01). It is important to note that this information booklet is not meant to be exhaustive. It only attempts to provide responses to questions that are frequently posed to the Department. If a question has not been addressed herein, a person is at liberty to call or write to the Department of Education. The contact details have been provided on the first page of this booklet.

### 2.1 QUESTIONS FROM PROVIDERS

#### 2.1.1 *What does registration as a private FET institution mean?*

Registration as a private FET institution means the legal authority or licence granted by the Director-General, as the Registrar of Private Further Education and Training Institutions, to a private institution to offer qualifications that are registered at Levels 2, 3 or 4 of the NQF, if such an institution meets the requirements for registration.

#### 2.1.2 *Why does the Department of Education register private institutions?*

The aim of registering private FET colleges is to protect the students and the public. The Department hopes to achieve this aim by registering or licensing only private FET institutions:

- That offer qualifications that are registered on the NQF
- That have the capacity, resources and expertise to offer quality education and training
- Whose programmes comply with the FET quality assurance requirements and criteria
- Adhere to ethical business practices.

By regulating private institutions that offer FET qualifications, government wants to ensure that, while

it protects students and the public, it also creates an environment that protects legitimate private institutions.

### **2.1.3 When did the registration of private FET institutions start?**

On 6 June 2005 in the Government Gazette No. 27660 the Minister of Education called for submission of applications from existing private institutions offering qualifications that are registered at Level 2 to 4 of the NQF. The closing date for the submission of these applications was 30 May 2006. This date applied to private institutions that were offering FET qualifications as at 30 May 2006. It did not apply to new institutions that are starting up or old companies that want to start offering FET qualifications. However, all new institutions must lodge their applications for registration 18 months before they start operating.

### **2.1.4 When does it become illegal for an institution to operate without registration with Department?**

According to the notice that was published by the Minister of Education in Government Gazette No 28911 of 1 June 2006, with effect from 1 January 2008, no person, other than a public FET institution or an organ of state, shall be allowed to offer FET qualifications unless such a person is registered or provisionally registered as a private FET institution in terms of the Act. Any person who contravenes the Act is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding five years or to both fine and imprisonment.

The implications of the Minister's notice is that the current transitional arrangement, in terms of which existing private institutions offering FET qualifications were exempted from registration, will end on 31 December 2007. After this date, it will be illegal to offer FET qualifications without registration with the Department of Education as a private FET institution

### **2.1.5 Who must register as a private FET institution?**

Only private institutions offering or proposing to offer full qualifications that are registered at Levels 2 to 4 of the NQF must register with the Department of Education as private FET institutions.

### **2.1.6 Which private institutions operating in the FET band are not required to register as private FET institutions?**

Institutions that exclusively offer short courses, individual unit standards or individual school subjects are not required to register with the Department of Education. However, such institutions are required

to ensure that they are accredited to offer such short skills programmes, courses or school subjects by relevant Education and Training Quality Assurance (ETQA) Bodies. They must further ensure that their advertising and marketing material indicate to the public that what they offer are not qualifications, but short skills programmes, courses or school subjects. Should such institutions later wish to offer full FET qualifications, only then will they be required to register with the Department of Education.

### **2.1.7 What does providing further education and training mean?**

Providing further education and training is defined as taking responsibility for:

- Registration of students for qualifications that are registered at Levels 2, 3 or 4 of the NQF;
- Provision and delivery of the curriculum;
- Assessment of students.

### **2.1.8 What role does the South African Qualifications Authority play in the process of registration of private FET institutions?**

The South African Qualification Authority (SAQA) is responsible for the registration of qualifications on the NQF. Private institutions must verify with SAQA whether the qualifications they offer are registered on or aligned with NQF before they apply for registration as private FET institutions with the Department of Education. The contact details of SAQA are as follows:

Director  
Standard Setting  
South African Qualifications Authority  
PostNet Suite 248  
Private Bag X06  
WATERKLOOF  
0145

Tel: 012 431 5000  
Fax: 012 431 5039

### **2.1.9 Where can I obtain an application form to register as a private FET institution?**

Application forms for registration as a private FET institution can be obtained from the Department of Education. The contact details are as follows:

Director  
 Private FET Colleges  
 Department of Education  
 Private Bag X895  
 PRETORIA  
 0001

Call centre number: 012 312 5878  
 Fax: 012 323 8817  
 E-mail: RegistrarFET@doe.gov.za

Electronic versions of the application documents can also be accessed at the Department of Education's website at:

[www.education.gov.za/DoE\\_Branches/Further\\_Education\\_Training/Directorate\\_Private\\_FET\\_Colleges/Directorate\\_Documents\\_Details](http://www.education.gov.za/DoE_Branches/Further_Education_Training/Directorate_Private_FET_Colleges/Directorate_Documents_Details)

#### **2.1.10 What are the requirements for registration as a private FET institution?**

In order to be registered as a private FET institution, an applicant must fulfil the following requirements:

- Financial sustainability
- Accreditation by Umalusi
- Occupational health and safety requirements

For its application to be considered, the applicant must submit proof that it is a company or it is in the process of registering as, or converting into, a company with Companies and Intellectual Property Registration Office at (CIPRO) at the Department of Trade and Industry. For further details on how to register a company, CIPRO can be contacted through their customer care line at 0861843384. Alternatively, further details can be obtained on their website at: [www.cipro.gov.za](http://www.cipro.gov.za).

#### **2.1.11 What is Umalusi?**

Umalusi is the General and Further Education and Training Quality Assurance (GENFETQA) Council established in terms of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001) as a band Education and Training Quality Assurance (ETQA) body responsible for quality assurance in the FET band of the NQF. Its functions include, inter alia,

- Accreditation of providers
- Monitoring the suitability and adequacy of standards and qualifications

- Ensuring that providers adopt quality management systems for learner achievement
- Assuring the quality of learner assessment at exit points
- Issuing certificates of learner achievement
- Promoting quality improvement among providers

For further details in this regard, Umalusi can be contacted at 012 349 1510. Enquires can be faxed to 012 349 1511.

#### **2.1.12 What does the term accreditation mean?**

Accreditation is the certification, usually for a particular period of time, of a body or an institution as having the capacity to fulfil a particular function within the quality assurance system set up by SAQA in terms of South African Qualification Authority Act, 1995(No. 58 of 1995). For more details on accreditation to offer FET qualifications, Umalusi can be contacted at the telephone number provided above.

#### **2.1.13 What does “determination” mean in the context of registration of private FET institutions?**

Determination refers to a process whereby the Registrar considers and evaluates the application for registration, Annexures to the application, other supporting documentation, as well as any other evidence of fulfilment of requirements for registration including the advice of Umalusi on the accreditation status of the applicant and its programmes. The Registrar concludes this process by arriving at a decision on whether to grant the applicant registration, provisional registration or to decline the application.

#### **2.1.14 What is the distinction between registration and provisional registration?**

Registration is granted to an applicant that meets all the requirements for registration, whereas provisional registration is granted to an applicant that does not fully meet the requirements, but the Registrar has reason to believe that such an applicant has the potential to meet the requirements within a specific period.

#### **2.1.15 What are the consequences if a private institution does not register?**

In terms of the Act, any person who offers or pretends to offer FET qualifications or purports to perform an act on behalf of an FET institution without registration with the Department of Education is guilty of an offence and is liable on conviction to a fine or imprisonment not exceeding five years or both such fine and imprisonment.

**2.1.16 Can a private FET institution display the same registration number at all its branches or sites of delivery?**

Yes. An institution that is registered as a private FET institution can display the same registration number at all its approved sites or campuses. Should it need to add a new site or campus, it is required to submit an application for amendment.

**2.1.17 Can a registered private higher education (HE) institution use the same registration number to offer FET qualifications?**

No. A private institution offering both HE and FET qualifications needs to lodge separate applications for registration as private FET institution and as a private higher education institution. If registered, the institution will be assigned two registration numbers. It is also important to note that the accreditation of private institutions offering HE qualifications is the responsibility of the Council of Higher Education (CHE) while accreditation of institutions offering FET qualifications is the responsibility of Umalusi.

**2.1.18 Why are private institutions required to set up a financial surety?**

Private institutions are required to set up a financial surety in order to ensure that, if the institution cannot meet its obligations to its enrolled students due to bankruptcy or liquidation or unforeseen closure for whatever reason, the student can be re-imbursed what is legally due to them.

## **2.2 QUESTIONS FROM STUDENTS**

**2.2.1 Why is FDC College not registered despite the fact that it has been operating for more than 30 years?**

Registration of private FET institutions is a new process that government recently initiated to regulate the private FET sector and to ensure that the public obtains quality education. FDC College may be operating in terms of the transitional arrangements, which exempted existing colleges from registration until a date determined by the Minister of Education in the Gazette. According to Government Gazette No 28911 of 1 June 2006, the Minister has determined 31 December 2007 as the date on which the transitional arrangement period will end. After this date, it will be illegal for private institutions to offer FET qualifications without registration as private FET institutions.

### **2.2.2 What can students do in cases where an institution offering FET qualifications operates without adequate staff and necessary equipments?**

Students who experience problems relating to the quality of education offered at any private institution that offers FET qualifications should lodge a complaint in writing with the Department of Education. In order to enable the Department to investigate the matter, students are requested to lodge a formal letter of complaint, which provides the Department of Education with the following information of the complainant:

- Full names and surname
- Name of the institution against which the complaint is lodged
- Student registration number
- The name of the qualification for which the student is registered
- Comprehensive explanation of the nature of the complaint
- Measures already taken to resolve the matter
- Redress or relief required

Only on receipt of the abovementioned letter will the Department of Education be in a position to investigate the matter.

### **2.2.3 How can students re-claim fees paid to a private FET institution if the quality of educational services rendered is not as promised during enrolment or in the institution's brochure?**

Students must take note that the re-claiming of fees may be subject to the terms of the contract entered into with the institution. However, should students wish to claim back any money paid to the institution for whatever reason, they are advised to contact the nearest Consumer Affairs Office of the Department of Trade and Industry to seek legal advice. The contact details of Consumer Affairs Provincial offices are provided in the Table below:

<b>Province</b>	<b>Telephone Number</b>	<b>Fax Number</b>
Gauteng (Pretoria)	012 394 1551	012 394 2551
Gauteng (Johannesburg)	011 355 8117	011 355 8017
limpopo	015 298 7000/7071	015 295 8750
North West	018 389 5046/5155	018 889 5636
Northren Cape	053 832 2566	053 832 2564
Mpumalanga	013 752 3761	013 752 3729
Free State	051 403 3630/3052	051 403 3437
KwaZulu-Natal	031 310 5310	031 310 5416
Western Cape	021 483 4235	021 483 3483
Eastern Cape	040 609 3050	040 609 3231

**2.2.4 Is a pre-ref number: (e.g.) 781T1 valid proof of registration as a private FET institution?**

No. The pre-ref number is not valid proof of registration as a private FET institution. It is a reference number, which was issued to private institutions that took part in an audit conducted by the Department in 2001 to determine the size of the private FET sector. The pre-ref number was issued only to be quoted when the institution corresponded with the Department. It is not a registration number.

**2.2.5 Is a number such as CK 2005/0000/23 recognised as the registration number issued by the Department of Education?**

The CK number indicates that the institution is registered as a Close Corporation with the Department of Trade and Industry (CIPRO). It is not the registration number issued by the Department of Education.

**2.2.6 Is registration in terms of the Correspondence Colleges Act of 1965 acceptable as proof registration as a private FET institution?**

No. The Correspondence Colleges Act of 1965 was repealed in 1998 when the FET Act was promulgated. Only private institutions registered in terms of the FET Act of 1998 will be legitimately registered FET institutions.

### **2.2.7 What will constitute valid proof of registration with the Department of Education?**

Only a certificate of registration or provisional registration signed by the Director-General of the Department of Education is valid proof of registration as a private FET institution. The certificate of registration will indicate the institution's legal name, the registration number and approved qualifications.

### **2.2.8 How is the public protected from private FET institutions that are not registered?**

In order to enable the public to make informed decisions when choosing a private institution, the Department is legally bound to keep a National Register of Registered Private FET Institutions. As soon as this register is in place, any member of the public will be able to inspect it to determine which private institutions are registered to offer FET qualifications. Given that the said register is not in place yet, the Department would like to advise students to ask themselves the following questions before binding themselves to an agreement in 2006:

- Does the institution offer the FET qualification in which you are interested?
- Has the institution applied for registration with the Department of Education?
- Is the institution accredited by Umalusi?
- Can it provide a brochure with all its details, including qualifications offered?
- Does it operate in suitable and safe premises with adequate space, light and appropriate equipments?
- Can it provide full details of its teaching staff and their qualifications
- How does the institution compare with other public institutions in terms of qualifications and services offered?
- Can it provide a sample copy of a learning contract?

### **2.2.9 What is the possible recourse process if anything goes wrong?**

If the answers to all these questions are in the affirmative, you can consider signing a contract.

### **2.2.10 How can a student check the accreditation status of a private institution offering FET qualifications?**

The accreditation status can be checked by contacting Umalusi at 012 349 1510. Enquiries can also be faxed to 012 349 1511.

## 2.3 QUESTION FROM EMPLOYERS

### 2.3.1 *How can an employer determine the validity of the employee's qualifications obtained from a private FET institution?*

The employer can determine the validity of the employee's certificate by contacting the Department of Education at 012 312 5878. The fax number is 012 323 8817.

## 2.4 QUESTION FROM BANKS

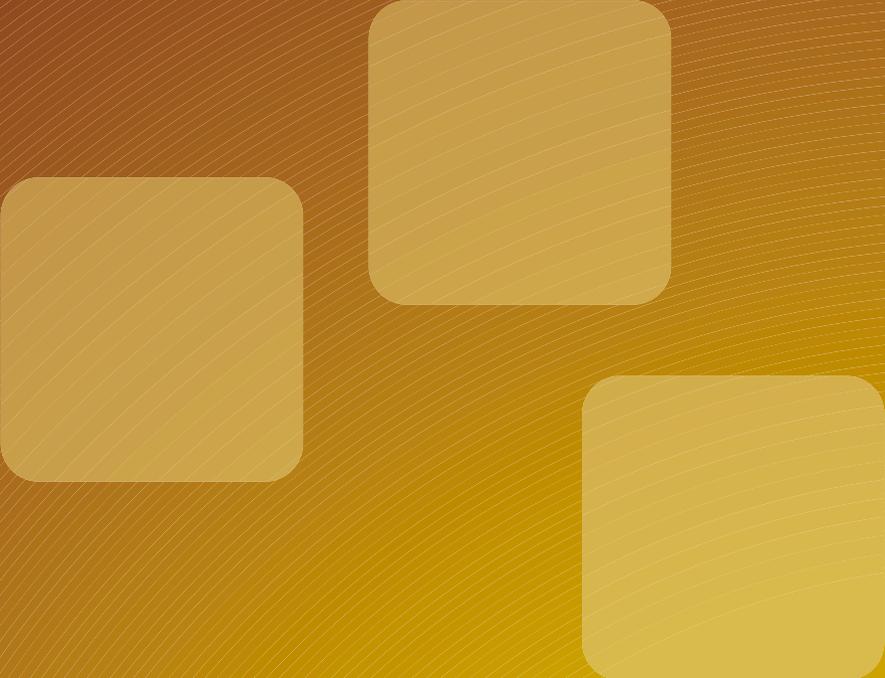
### 2.4.1 *How can a bank determine the registration status of private FET institutions for study loan approval?*

The bank can determine the validity of an institution's registration status by contacting the Department of Education at 012 312 5878.

## 2.5 QUESTION FROM THE MEDIA

### 2.5.1 *How can media journalists obtain information on the registration of private FET institutions?*

Journalists must contact the Directorate: Communication at 012 312 5538. The fax number is 012 323 5989.



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Director  
Private FET Colleges  
Department of Education  
Private Bag X895  
PRETORIA  
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Fax: 012 323 8817  
E-mail: [RegistrarFET@doe.gov.za](mailto:RegistrarFET@doe.gov.za)

Design and Layout:  
[www.blackmoon.co.za](http://www.blackmoon.co.za)