

GUIDANCE

Arrangements for the assessment and awarding of Vocational and Technical Qualifications and Other General Qualifications in 2020/2021

Advice for teachers, trainers and tutors; learners, parents and carers; employers and professional bodies on vocational and technical qualifications, and other general qualifications

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About this document

This advice notice aims to provide answers to some common questions about arrangements for the assessment and awarding of vocational and technical and other general qualifications in 2020 and 2021 in the context of the ongoing coronavirus (COVID-19) pandemic.

Introduction

Background

The coronavirus (COVID-19) pandemic has resulted in a loss of education and training since March. It is also likely that some public health restrictions will be in place during the 2020/21 academic year, and that further disruption may occur on a localised basis, both of which may further affect teaching, learning and assessments for the rest of 2020 and possibly 2021.

Government's expectation is that assessments will take place in 2020 and 2021 and we agree that this is the best and fairest way of giving results to learners. To bring this about, we have been working with awarding organisations and other stakeholders to identify ways in which we can make assessments more manageable and flexible, and free up teaching time – whilst at the same time maintaining the validity and reliability of qualifications – to mitigate the impact of the pandemic on learners.

Our aims

We want to mitigate the effects of disruption to teaching, learning and assessment so that, as far as possible:

- learners taking vocational and technical qualifications and other general qualifications¹ have the opportunity to receive a fair result and are not disadvantaged by the longer-term effects of the current pandemic
- learners taking those qualifications most similar to GCSEs, AS and A levels are not advantaged or disadvantaged compared to their peers taking those qualifications and when competing for the same progression places

In line with our statutory objectives, we also need to ensure that the assessments made available by awarding organisations lead to the award of qualifications that are a sufficiently valid and reliable indication of the knowledge, understanding, skills or practical competence they are intended to cover, and that, as far as possible, standards are maintained.

As far as possible, we expect awarding organisations to take the same approaches to adaptation for similar qualifications. We will facilitate and support their

¹ Other General qualifications are academic in nature and are often taken in schools and colleges as part of secondary and tertiary education. Often the aim of these qualifications is to secure a body of knowledge and progress learners through to higher levels of academic study. Examples are baccalaureates, the Cambridge Pre-U, international GCSEs, free standing mathematics and entry level qualifications in academic subjects.

engagement with stakeholders, such as sector and professional bodies, so that any adaptations sufficiently maintain the validity and reliability of the qualifications.

Achieving those aims

Following a two-stage public consultation, we have introduced a regulatory framework for 2020/21, the Extended Extraordinary Regulatory Framework (Extended ERF). This permits awarding organisations to make adaptations, where appropriate and necessary, to their assessments and qualifications to assist in mitigating the impact of the pandemic on teaching, learning and assessment for learners taking vocational and technical, and other general qualifications.

The first [consultation](#) ran from 3 to 14 August and asked for views on our proposal to permit awarding organisations to make adaptations to their assessments and qualifications, and to introduce the Extended ERF to enable awarding organisations to make those adaptations. We received 366 responses – the vast majority were supportive of our approach.

In the [second consultation](#), which ran from 7 to 20 September, we asked for comments on a revised draft version of the Extended ERF. This included revised draft principles to guide awarding organisation decisions around adaptation, and statutory guidance on adaptation and Special Consideration. We received 53 responses and made minor changes to the drafting of the Extended ERF in light of that feedback. The final version of the Extended ERF came into effect at 3pm on Monday 12 October.

Qualifications and learners in scope

Which qualifications are covered?

The arrangements we are putting in place for 2020/21 will apply to all Ofqual regulated qualifications apart from GCSEs, AS and A levels, and apprenticeship end-point assessments.

Which learners are in scope of these arrangements?

All learners who are taking those regulated qualifications which fall under these proposed arrangements are in scope.

What is the position with apprenticeships?

Apprenticeship end-point assessments are not covered by these arrangements.

The Institute for Apprenticeships and Technical Education has overall responsibility for policy on end-point assessments.

For those apprenticeship standards where we provide external quality assurance, we have worked with the Institute to provide [advice](#) on arrangements for adaptation of assessments, where appropriate. Details of the flexibilities agreed for apprenticeship standards can be found on [the Institute's website](#).

What is the position with qualifications in other parts of the UK?

Ofqual-regulated qualifications taken in other parts of the UK are in scope of these arrangements.

We have long-standing collaborative arrangements with the regulators of qualifications in the UK. This is particularly the case with Qualifications Wales and CCEA Regulation (Northern Ireland) because many of the same qualifications are awarded in the same way in these 2 countries.

Given the high degree of coherence of both the qualifications available and our regulatory approaches, Qualifications Wales and CCEA Regulation are putting in place similar arrangements for 2020/21 for Ofqual-regulated qualifications awarded in England when they are awarded in Wales and Northern Ireland.

Qualifications Wales, CCEA Regulation and SQA Accreditation will have specific requirements in relation to qualifications designed specifically for Wales, Northern Ireland and Scotland (respectively).

What is the position with qualifications offered internationally, as well as in the UK?

Awarding organisations making qualifications available overseas are permitted to adapt assessments and qualifications where necessary.

We expect awarding organisations to determine whether they need to adapt assessments and qualifications based not just on the purpose served by the qualifications, but also on the needs and particular circumstances of the market in which they are operating overseas. This may include requirements set out by other regulatory authorities in other countries.

We also expect awarding organisations to consider the particular risks presented by their individual markets, including any risks of malpractice or corruption.

About the Extended Extraordinary Regulatory Framework

What is the Extended Extraordinary Regulatory Framework (Extended ERF)?

We have introduced the [Extended ERF](#) so the awarding organisations that we regulate can make changes, or adaptations, to their assessments and qualifications, which they would not normally be able to do under our usual rules.

They must only make adaptations where this is necessary and appropriate to assist in giving learners the opportunity to receive a fair result in 2020/21 despite the disruption to teaching, learning and assessment resulting from the pandemic.

What are the differences between the Extraordinary Regulatory Framework (ERF) introduced in May and the Extended ERF?

The [ERF](#) was introduced as a temporary measure to address the immediate challenges we faced earlier in the year when centres had closed and, in many cases, assessments could not be carried out. The steer from the government was to maximise results to learners. The ERF permitted awarding organisations to issue calculated results², to delay or make adaptations to assessments which would not normally be permitted under our regulations so that learners could receive results and progress. The ERF and its associated arrangements applied to all learners who were due to sit assessments between 20 March and 31 July 2020.

The Extended ERF has been developed to deal with the situation facing us in 2020/2021 when centres are open and assessments are expected to take place but there is a need to address the ongoing impact of the pandemic on teaching, learning and assessment.

Under the Extended ERF, awarding organisations can now make adaptations to a greater range of qualifications, including those qualifications whose primary purpose is to support progression to further or higher study, for which they may previously have offered calculated results. They can also make a broader range of adaptations where this is necessary to free up teaching and assessment time, for example, by streamlining assessments. They would not normally be able to make these adaptations under our usual rules.

Awarding organisations must ensure that any adaptations they make sufficiently maintain the validity and reliability of their qualifications and that, as far as possible,

² Calculated results provided learners with the grades that they would have most likely have achieved had they been able to take their assessments in summer 2020. The award of a calculated result involved 3 elements: a centre assessment grade for each learner (generated by the centre) and/or a calculated grade (determined by the awarding organisation) based on the results they already hold for the learner; quality assurance of the overall calculated result (which is derived from the centre assessment grade and/or any awarding organisation calculated grade); and a check on overall qualification level outcomes.

they maintain standards. They also have to take account of and mitigate any risks of malpractice.

There is no provision within the Extended ERF for the issue of calculated results. The issue of calculated results was a temporary measure we introduced to deal with the immediate impact of the pandemic to allow learners to receive results and progress at a time when assessments could not take place because of the national lockdown.

How long will the Extended ERF last?

The Extended ERF is a temporary measure. It will be in place for the minimum time possible to manage the ongoing impact of the pandemic and will apply in addition to our usual rules – the General Conditions of Recognition.

We will disapply the Extended ERF only when circumstances permit and will ensure that all stakeholders have sufficient notice of our intention to do this.

Will the ERF be withdrawn?

The ERF will remain in place to cover the following specific circumstances only:

- Firstly, there may still be circumstances where learners, who should have received a calculated result for an assessment or qualification, have not yet received that result but could still do so. It is therefore important that the current ERF remains in place to capture outstanding calculated results that are yet to be determined by awarding organisations.

This will only apply to learners who were eligible for a calculated result because they were expecting to take assessments for named qualifications between March and 31 July 2020. Details of these qualifications can be found on our summer and autumn qualification [explainer tool](#).

- Secondly, appeals and complaints may arise from decisions taken by awarding organisations under the current ERF. It is therefore necessary for the ERF to continue so that those appeals and complaints can be made.
- Finally, the ERF remains in place to permit awarding organisations to run additional autumn assessment opportunities.

What is the position if awarding organisations decide that no adaptations are necessary?

Under the Extended ERF, we require all awarding organisations to review their qualifications and decide whether adaptations should be made to their assessments and qualifications to assist in mitigating the impact of the pandemic for learners. They must keep a record to explain and justify their decisions, and we will routinely ask to see and review these records.

However, we do not require awarding organisations to make adaptations – the Extended ERF only permits them to do so where necessary and appropriate. If it is possible for assessments to continue as normal and there are no impacts that could be mitigated, then awarding organisations do not have to make any adaptations.

We think that for some qualifications, where assessments are made available on-demand or on a roll-on/roll-off basis, there may not be a need for adaptations now that many centres are open and are able to run assessments in line with public health guidance.

Also, if adaptations are not possible without undermining the validity and reliability of qualifications, or where the disruption caused by an adaptation would outweigh the benefits, awarding organisations should not adapt their assessments or qualifications.

Where assessments and qualifications are made available as normal, awarding organisations must comply with our usual rules, the General Conditions of Recognition, when making assessments available, awarding qualifications and issuing results.

How the framework will work

Will the same adaptation approach be used with all vocational and technical qualifications?

Vocational and technical qualifications are used for a variety of purposes; some are used to signal occupational competence for specific job roles, whilst others are mainly used to support progression to further or higher education. However, most vocational and technical qualifications are used in different ways by different learners, either to progress onto further study or into, or through, employment.

The qualifications are also of different sizes, have different learning objectives and use different assessment methods aligned to their purpose and use. Some require the demonstration of practical skills in response to assignments or work-based tasks, which are internally assessed by teachers and tutors, and then quality assured by awarding organisations – either on a roll-on/roll-off basis, or at specific points in the year. Others test underpinning knowledge and understanding through the use of examinations. Some examinations are available on-demand whilst others are only available in specific windows. Many qualifications use a combination of approaches.

For these reasons, we have decided that a single adaptation approach is not possible. We think that awarding organisations should make decisions on a case-by-case basis, as they are best placed to judge what adaptations are possible without undermining the validity or reliability of their qualifications or undermining standards.

We know that there is a risk of inconsistent approaches if awarding organisations take decisions individually. Therefore, where qualifications have the same purpose, are intended to assess similar knowledge, understanding and skills, and use similar assessment methods, we have made it clear in the Extended ERF that we expect awarding organisations to use consistent adaptation approaches as far as possible.

How will awarding organisations make decisions about what kind of adaptations to introduce?

In the Extended ERF we have set out 4 guiding principles, with which awarding organisations must comply when making adaptations. They are:

- Principle 1 – As far as possible and without prejudice to the other principles, an awarding organisation must seek to ensure that the adaptations which it makes to a qualification assist with mitigating the impact on teaching, learning or assessments caused by the Covid-19 pandemic for learners taking that qualification.
- Principle 2 – An awarding organisation must seek to ensure, as far as possible, that the adaptations which it makes to a qualification do not serve to advantage or disadvantage learners taking that qualification against their peers taking general qualifications not covered by the Extended ERF.
- Principle 3 – An awarding organisation must seek to ensure that, where it makes any adaptations to its qualifications in accordance with the Extended ERF, the validity and reliability of those qualifications is sufficiently maintained.

- Principle 4 – An awarding organisation must seek to maintain standards, as far as possible, within the same qualification in line with previous years, and across similar qualifications made available by the awarding organisation and by other awarding organisations.

Awarding organisations must consider these principles equally and must take all reasonable steps to comply with each of the principles to the fullest extent possible. By doing so, they will ensure that the adaptations they introduce help learners to have the opportunity to receive a fair result and to minimise the ongoing impact of the pandemic, without undermining the validity or reliability of their qualifications or undermining standards.

Alongside this, we have also published statutory guidance setting out the factors which awarding organisations should consider when deciding how to adapt their qualifications. It:

- sets out the context within which awarding organisations are making their decisions
- explains how the principles should be applied
- sets out a process awarding organisations may wish to follow when determining their approach to adaptation
- gives examples of the issues which may need to be mitigated as a result of the pandemic
- gives examples of possible adaptation approaches which may assist in mitigating the impact of the pandemic
- sets out other factors awarding organisations should consider when developing their approach, such as complying with other organisations' requirements in addition to Ofqual's, for example the DfE's technical requirements for performance table qualifications
- sets out factors awarding organisations should consider to support consistency in line with our expectation that, as far as possible, where qualifications signal similar knowledge, understanding and skills, or practical competence, and have the same assessment approaches and delivery context, the adaptations are consistent
- sets out factors awarding organisations should consider when working with centres and others to develop and implement adaptations effectively
- suggests areas where awarding organisations may wish to take steps to build resilience so that they are in the strongest possible position to manage any further disruption caused by the pandemic

This guidance will assist awarding organisations in ensuring that the adaptations they make are necessary and appropriate, and will support the development of consistent approaches for similar qualifications offered by different awarding organisations.

Does Ofqual expect the volume of content to be taught to learners to be reduced?

Whilst Ofqual is not a curriculum agency and does not generally take a view on content, we believe that reducing the volume of content to be taught could risk

undermining the validity and reliability of the qualification, and would risk damaging the confidence that users have in that qualification. This is particularly the case for qualifications signalling occupational competency, where if learners were not taught some of the skills or knowledge, there could be implications for health and safety and for the ability of the learner to practise in that job role.

Centres also teach the content of qualifications in different ways and at different times. There is a risk that removing content could further disadvantage some learners if the content to be removed was content they had already been taught.

We therefore propose that changes to content should only be considered in exceptional circumstances where it is the only way of minimising disadvantage to learners as a result of the pandemic. The views of sector and professional bodies and other stakeholders must also be sought before any changes are made.

When will awarding organisations confirm which qualifications will have adaptations and what those adaptations will be?

We know that some awarding organisations have already been in contact with their centres to understand how they have been affected by the current public health crisis and to start to explore ways in which they might adapt assessments and qualifications.

For some qualifications, the awarding organisations are likely to take forward the adaptations they introduced this summer under the ERF.

We expect awarding organisations to be in a position to start to confirm their approach by 23 October. This was the [date agreed](#) by the joint communications group we have set up to coordinate communications with centres in 2020/21. This group is made up of representatives from Ofqual, the Association of Colleges (AoC), the Association of Employment and Learning Providers (AELP), HOLEX (the lead professional body for adult community education and learning), the Joint Council for Qualifications (JCQ) and the Federation of Awarding Bodies (FAB).

What oversight will Ofqual exercise over awarding organisations' adaptation decisions?

The requirements and the statutory guidance on adaptation in the Extended ERF make it clear that awarding organisations should work together and with sector bodies to agree adaptation approaches for similar qualifications.

Awarding organisations must give regard to the statutory guidance on adaptation. This means that they must consider and engage with the guidance, not ignore or merely pay lip-service to it. Statutory guidance is not a further set of regulatory rules, but, if an awarding organisation takes a different approach, it must have a cogent reason for doing so. That reason needs to be clear, logical and convincing and must be recorded.

We have also established or supported existing working groups of awarding organisations, which include sector bodies where relevant, to explore what the

impacts of the pandemic are for these qualifications and to agree common approaches to adaptation.

Under the Extended ERF, we have the right to review awarding organisations' decisions records for their adaptation approach. They must justify why they are or are not making any adaptations and explain how they are complying with the statutory guidance, including consistency with other awarding organisations and taking account of the views of sector bodies. We have decided to review upfront awarding organisations' decision records for high priority qualifications, such as performance table qualifications and Functional Skills qualifications, and will extend the scope of our review as necessary.

If we find that awarding organisations are not taking appropriate or consistent approaches, we will take regulatory action, for example in the form of a Technical Advice Notice to awarding organisations.

We originally made provision for the issue of Technical Advice Notices in the ERF and have carried this forward into the Extended ERF because we found it to be a useful regulatory tool. Awarding organisations must have regard to any advice that we provide in writing, in the form of a Technical Advice Notice, and are required to follow our advice unless there is a compelling reason not to.

We will also monitor the delivery of adapted assessments and qualifications through our usual risk-based approach to regulation, taking into account any particular issues arising from the current context.

What is Ofqual doing to help centres to implement adapted assessments and qualifications?

Our statutory guidance on adaptation states that awarding organisations should work with their centres when determining their approach to adaptation and that the approaches they take should not impinge on the work that centres are also undertaking to mitigate the ongoing disruption caused by the pandemic.

Awarding organisations should make sure that the adaptation approaches they are proposing are clear and acceptable to centres and relevant stakeholders, including sector and professional bodies. They must also make it clear to their centres what adaptations are permitted and any parameters within which centres must operate when implementing those adaptations.

We also state in the statutory guidance that awarding organisations should try to streamline and coordinate their communications to centres so that they are not over-burdensome and that communications should be clear and timely.

We are working with other stakeholders (AoC, AELP, HOLEX, JCQ and FAB) to develop a streamlined and coordinated communications strategy to make it easier for centres to implement the adaptations and so that users of the qualifications can understand the changes.

Through this group, we will agree common deadlines for the communication of key information to centres and will consider how best to communicate that information; for example, when a centralised communication from Ofqual may helpfully complement awarding organisations' own communications to centres.

Adaptations to assessments and qualifications

What might the adaptations look like?

Awarding organisations have not yet confirmed their decisions around adaptations but some have shared their initial proposals with us.

For some qualifications, awarding organisations may wish to take forward the adaptations to assessment they introduced in the summer. Under the ERF, they were permitted to:

- change the way in which assessments are delivered, for example, by using an online rather than paper-based test, or carrying out an assessment remotely, with the examiner in a different location to the learner, rather than face-to-face in the same centre
- adapt assessment methods, for example, by using a simulation in place of a practical demonstration, or having a professional discussion in place of observing the demonstration of a practical skill
- change invigilation requirements, for example, by allowing the use of online invigilation so that assessments can take place in a wider range of settings
- waive or adjust work experience or placement requirements, for example, allowing learners to undertake a shorter period of work experience
- change the way in which a qualification is quality assured, for example, by allowing for standardisation to take place remotely or online

For those qualifications most like GCSEs, AS and A levels, where previously calculated results were issued, awarding organisations are now considering:

- widening assessment windows to provide greater flexibility (the period of time during which an assessment is conducted)
- encouraging the banking of modular assessments throughout the course of study to mitigate the risk of future disruption
- changing the conditions under which internal assessments may be completed
- looking to change some assessment requirements where this is the only way to deal with the impact of any ongoing social distancing measures, for example, in sport or performing arts qualifications where learners are currently assessed working in a group
- streamlining assessments to free up teaching and learning time in centres

In making their decisions around adaptations, awarding organisations must:

- take account of the principles in the Extended ERF and statutory guidance on adaptation
- consider and weigh the risks involved in making the adaptation against the benefits, and how any risks might be mitigated.

Do awarding organisations have to comply with the requirements set out by sector or professional bodies when deciding on their approach to adaptation?

There is a requirement in the Extended ERF that awarding organisations must give regard to professional body requirements. This means we expect them to fully consider the details that the sector or professional body has set out. They should give these requirements appropriate weight when deciding how they want to approach an adaptation.

Our statutory guidance also states that awarding organisations should develop adaptation approaches which are clear and acceptable to end-users and sector bodies.

Where we have been able to, we have brought together or supported existing working groups of sector bodies and awarding organisation to facilitate the development of common approaches to adaptation across similar qualifications.

Awarding organisations may choose not to follow what has been specified by the professional body, but we expect the awarding organisation to be able to explain and justify their reasons for doing so.

What is the position if sector and professional bodies do not put in place any specific requirements around adaptation?

If there are no specific requirements set out by a sector or professional body, then we encourage awarding organisations to gather the views of employers and other users of their qualifications to ensure that the qualifications continue to meet the needs of employers.

The Extended ERF still applies when awarding organisations decide on their adaptation approach under these circumstances.

Information for different groups of learners

Will these arrangements only apply to learners completing a qualification in 2020/21? What about learners who are starting a 2-year qualification this autumn?

The Extended ERF covers all regulated qualifications apart from GCSEs, AS and A levels, and end-point assessments.

The adaptations we are permitting awarding organisations to make under the Extended ERF will apply to all learners taking assessments in 2020/21 where there is a need to mitigate the impact of the pandemic.

Awarding organisations may, however, take account of the different situations faced by learners continuing and completing their qualifications and new learners as they develop their adaptation approaches.

What is the position for learners who received or will receive a calculated result for assessments which they expected to sit between 20 March - 31 July but who are not completing their qualification until later in 2020/21? Do their calculated results still count after 31 July 2020?

Learners who have received a calculated result³ for any assessments they expected to take this summer, can carry forward their results into 2020/21 (or later) when they complete their qualifications.

If a learner is eligible for a calculated result because they expected to sit an assessment between 20 March and 31 July 2020, but has not yet been awarded their result because of the approach to calculation taken by their awarding organisation, their calculated result will still count when they complete their qualification in 2020/21 (or later).

Can learners still receive a calculated result if they are unable to sit some assessments in 2020/21, for example if there are local lockdowns?

As assessments are expected to take place in the rest of 2020 and in 2021, there is no provision within the Extended ERF for the issue of calculated results in 2020/21.

The issue of calculated results was a temporary measure we introduced to deal with the immediate impact of the pandemic to allow learners to receive results and

³ Or a centre assessment grade (CAG) where this was permitted by the awarding organisation instead of a calculated result

progress at a time when assessments could not take place because of the national lockdown.

However, were learners in the position where, despite the adaptations made by awarding organisations, they were not able to take their assessments and complete their qualifications, then special consideration might be applied (see the question below for further details).

Will special consideration apply to adapted assessments and qualifications in 2020/21?

Special consideration may apply for any assessments that take place in 2020/21.

We recognise that there may be some learners who miss or do not complete assessments which they were preparing to take in 2020/21, due to factors outside of their control. Such a situation could arise as a result of the ongoing pandemic.

Our General Conditions of Recognition⁴ require awarding organisations to have in place arrangements to give special consideration to learners where they have temporarily experienced an illness or injury, or some other event outside of their control, which has had, or is reasonably likely to have had, a material effect on their ability to take an assessment or to demonstrate his or her level of attainment in an assessment.

Special consideration could include, but is not limited to, awarding additional marks where a learner has been able to take an assessment but where their performance has been affected by an illness, injury or other exceptional event outside of their control; awarding a qualification to a learner who has not completed all of the assessments but who has completed the minimum amount of assessment evidence for that qualification; or allowing an alternative assessment opportunity for a learner at a later date.

We do not expect awarding organisations to provide special consideration where this would alter or prevent the qualification from providing a reliable indication of the knowledge, understanding and skills being measured, or where this would unfairly advantage or disadvantage learners.

In the Extended ERF, we have included some additional guidance on the application of special consideration in the context of 2020/21 which awarding organisations must give regard to. We have said:

- where learners have missed teaching and learning as a consequence of public health guidance, adaptations to qualifications and assessments should be considered, rather than special consideration
- if further disruption occurs on a localised basis and assessments cannot take place, awarding organisations should consider whether they can adapt or further adapt their qualifications or assessments before considering whether special consideration applies
- where special consideration is available to learners who have not completed all of the assessments (for example, because of previous or future lockdowns), awarding organisations must be clear about the amount of assessment evidence a learner must have completed before a qualification can be awarded

⁴ Specifically, [General Condition G7 \(Arrangements for Special Consideration\)](#)

The guidance also states that awarding organisations should review their current arrangements for special consideration to ensure they remain appropriate in the context of the potential continuing disruption caused by the pandemic.

We are also working with awarding organisations to develop common approaches to the application of special consideration in the context of 2020/21 and to ensure that arrangements are clearly communicated to centres.

How will these arrangements affect private learners?

There will be some learners who are studying vocational and technical qualifications and other general qualifications independently. Some of these learners may be registered directly with an awarding organisation, others may be registered for a qualification through a centre but may not be receiving education directly from them. These are all considered to be 'private learners.'

Where awarding organisations make adaptations to their assessments and qualifications, they must offer the same adaptations to private learners in as similar a way as possible to other learners.

How will these arrangements affect learners with protected characteristics, special educational needs and/or disabilities (SEND), or other vulnerable learners?

We know that learners taking vocational and technical qualifications are, on average, more likely to be disadvantaged and come from lower socio-economically disadvantaged backgrounds than their general qualifications counterparts, making it particularly important that our arrangements limit any further disadvantage to these learners as far as possible.

Our approach seeks to ensure that, as far as is possible, these groups of learners are not further disadvantaged as a result of their protected characteristics, having special educational needs or disabilities, their socio-economic status or belonging to another vulnerable group, by the arrangements we put in place.

The Equality Act 2010 already imposes obligations directly on awarding organisations. Awarding organisations need to ensure that they comply with their duties under the legislation in deciding whether to adapt any of their qualifications and what adaptations to make.

Our General Conditions of Recognition also set out a number of obligations, in addition to those imposed by equalities legislation, on awarding organisations. They apply in addition to the Extended ERF. In particular, they require⁵ awarding organisations to ensure that they comply with the requirements of equalities law in relation to each of the qualifications which it makes available. They must monitor their qualifications to identify any feature that could disadvantage learners with a protected characteristic and remove those features where they cannot be justified, or maintain a record of such features which it believes are justified.

⁵ Specifically, [General Condition D2 \(Accessibility of qualifications\)](#)

Additionally, the General Conditions of Recognition require that awarding organisations ensure their assessments permit reasonable adjustments⁶ to be made whilst minimising the need for them. They also set a requirement⁷ for awarding organisations to have in place clear arrangements for making reasonable adjustments in relation to qualifications which they make available.

Under the Extended ERF, awarding organisations are required to take account of the impact of any adaptations to assessments and qualifications on learners with a protected characteristic as part of their judgement about whether and how to make any adaptations. They must ensure through their approaches that, as far as possible, learners are not disadvantaged as a result of belonging to a particular group or having a particular protected characteristic. They are required to:

- ensure that any adaptations they make to assessments and qualifications are sufficiently transparent to meet the reasonable needs of users of the qualification
- keep a record of any adaptations they make, and the rationale for the decisions it has taken and to provide this record to us on request
- comply with the statutory guidance which confirms that the equalities legislation with which awarding organisations must comply for any qualification they offer, will continue to apply in relation to qualifications which have been adapted under the Extended ERF
- ensure that, in any approach to adaptations, they minimise bias as far as is possible.

We recognise, however, that there will be some impacts which we cannot address through our regulation of qualifications, such as inequality of access to digital technology, and will work with partners, stakeholders, other regulators and government to address the wider risks impacting on learners' results which are outside the scope of Ofqual regulation.

How will these arrangements affect apprentices?

Apprentices taking vocational and technical qualifications as part of their apprenticeships may find their assessments and qualifications are adapted, just as they will be for learners taking these assessments and qualifications outside of apprenticeships.

Arrangements for end-point assessments (EPAs) are not covered by the Extended ERF.

The Institute for Apprenticeships and Technical Education has published [guidance](#) outlining what flexibility there may be in adapting assessments where the rescheduling or delay of an EPA would cause hardship to the apprentice, and has confirmed that approaches to calculate results cannot be used with EPAs.

⁶ [Reasonable adjustment](#) is defined as an adjustment made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification

⁷ Specifically, [General Condition G6 \(Arrangements for Reasonable Adjustments\)](#)

Results and progression

Will results issued in 2020/21 carry the same weight as results issued in previous or future years?

The approach we are proposing to take to manage the longer-term impact of the pandemic is designed to balance the need for awarding organisations to take all reasonable steps so that learners are not disadvantaged, with the need to maintain the validity and reliability of qualifications and to maintain standards.

As far as possible, we expect awarding organisations to take the same approaches to adaptation for similar qualifications, and we have facilitated and supported their engagement with stakeholders, such as sector and professional bodies, so that any adaptations maintain the validity and reliability of the qualifications.

Through our regulatory oversight of awarding organisations' adaptation decisions and ongoing monitoring of the delivery of adapted assessments, we will take action if any adaptations implemented by awarding organisations don't comply with our principles or statutory guidance and so undermine the validity and reliability of qualifications, or undermine standards.

We therefore expect that the results awarded to learners during 2020/21 should have equal status to the results awarded in other years and should be treated in this way by universities, colleges, sixth forms, training providers and employers.

Can employers have confidence in the qualifications that will be awarded in 2020/21?

The approach we are proposing to take to manage the longer-term impact of the pandemic is designed to enable employers to be as confident in the qualifications that are awarded this year as they are currently in those already awarded or will be awarded in the future.

The requirements, principles and statutory guidance we have set out in the Extended ERF do not permit awarding organisations to make adaptations which would undermine the validity and reliability or which would not be acceptable to users of the qualifications.

The work we have done to bring together or support existing working groups of sector body and awarding organisations is also intended to facilitate the development of valid and reliable approaches to adaptation which have the support of employers and ensures that they have confidence in the qualifications awarded in 2020/21.

Appeals

Can learners appeal their results for qualifications which have been adapted?

Learners will be able to appeal their results on the same basis as in any other year.

Each awarding organisation is required by our General Condition of Recognition [11](#) to have appeals arrangements in place. They are required to establish, and then maintain and comply with, an appeals process which provides for appeal of:

- the results of assessments
- decisions regarding reasonable adjustments and special consideration
- decisions relating to any action to be taken against a learner or a centre following an investigation into malpractice or maladministration

If learners think that they have reason to appeal, they should contact their centre in the first instance.

Will there be a cost for appeals?

Fees for all aspects of the assessment process are set by the awarding organisations who will provide this information to their centres.



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