

CORPORATE REPORT

Business Impact Target 2019 to 2020

Non-qualifying Regulatory Provisions summary

ofqual

Regulator: Ofqual

Business Impact Target Reporting Period Covered: 13 Dec 2019 – 12 Dec 2020

Excluded Category	Summary of measure(s), including any impact data where available
<p>Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)</p>	<p>Consultations</p> <p>Awarding organisation controls for centre assessments – regulations Ofqual changed some rules for controls for centres to ensure qualifications can be delivered to meet the needs of users. The cost associated with introducing changes to centre assessment regulations was for producing centre assessment standards scrutiny strategies. This was estimated as either £600 per strategy or £25000 in total per awarding organisation.</p> <p>Ofqual estimated a minimal cost for the implementation of new rules for:</p> <ul style="list-style-type: none"> • Regulating performance table qualifications Ofqual changed its approach to regulating Technical Award qualifications listed on the (DfE) Key Stage 4 performance tables for the 2023 tables onwards. The rules put in place covered aspects including the design, delivery and awarding of Technical Awards. • Changes to the Conditions of Recognition Ofqual introduced changes aimed at improving the level of transparency and clarity of qualification fees, as well as changes to improve the structure and clarity of wording, aligned as far as possible with Northern Ireland and Wales. • Consultation on the legal establishment and location of awarding organisations regulated by Ofqual Following consultation Ofqual implemented regulatory changes to allow new awarding organisations based, or with a substantial presence, in the UK (or Gibraltar) to be recognised by Ofqual and to prevent current awarding organisations based in the UK from breaching their conditions of recognition. This reflected the UK's exit from the EU on 31 January and was necessary because Ofqual's previous regulations required that awarding organisations must be based in an EU or EFTA member state.

Excluded Category	Summary of measure(s), including any impact data where available
	<p>Ofqual introduced a provision for the Extraordinary Regulatory Framework which on the 12 October was extended to the Extended Extraordinary Regulatory Framework for awarding Vocational, technical and other general qualifications in 2020 to 2021.</p> <p>Ofqual estimated minimal costs/benefits for the continued development and functionality of the Ofqual awarding organisation Portal to make it more user friendly, this included making available an awarding organisation's scope of recognition and enabling expansion applications through the Portal.</p>
<p>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Measures certified as concerning EU Withdrawal Bill operability measures</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Pro-competition</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Systemic Financial Risk</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Civil Emergencies</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Fines and Penalties</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>
<p>Misuse of Drugs</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.</p>

Excluded Category	Summary of measure(s), including any impact data where available
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Casework	<p>Ofqual has undertaken casework activity in the following areas which have involved some engagement with / requests for information from awarding organisations.</p> <p>Ofqual can report the following enforcement activity:</p> <ul style="list-style-type: none"> • Three Undertakings were given by awarding organisations, and accepted by Ofqual, setting out actions they will take to ensure ongoing compliance with their Conditions of Recognition. • A total of ten Special Conditions were imposed on awarding organisations. Six of these were to support potential investigations, or as part of the enforcement process in respect of four awarding organisations. Four were imposed on new organisations as part of the recognition process. • Two Notices of a Monetary Penalty (£ 50,000 and £350,000) issued with Notices of Cost Recovery (£5,942 and £19,083). Ofqual received over 1000 applications or enquiries to the Exam Procedures Review Service (EPRS) during the period. 12 completed applications required a substantive response from the awarding organisations before the case could be concluded. No EPRS hearings were conducted during this period <p>Between 13 December 2019 and 27 November 2020 Ofqual completed five remote investigation meetings and 47 compliance engagements, of which 44 were completed remotely.</p> <p>Between 13 December 2019 and 27 November 2020 Ofqual issued 62 recognition application decisions and 88 recognition expansion decisions.</p> <p>Between 13 December 2019 and 27 November 2020 Ofqual received 1162 complaints and 72 whistleblowing disclosures.</p>

Excluded Category	Summary of measure(s), including any impact data where available
Education, communications and promotion	<p>Ofqual communicates regularly with awarding organisations to keep them informed of Ofqual’s existing and proposed regulatory requirements and for transparency purposes. This is done through events, workshops Portal articles, webinars, Responsible Officer letters, publications and guidance on the Ofqual website.</p> <p>A particular focus this year has been around supporting awarding organisations’ understanding of the arrangements and regulatory frameworks in place for assessment and awarding in light of the pandemic.</p>
Activity related to policy development	<p>Ofqual formally consulted on the following proposals:</p> <ul style="list-style-type: none"> • To introduce new statutory guidance for Condition F1 • To adopt a clearer, narrative style of guidance relating to malpractice and maladministration. <p>Research activity: Key areas of research Ofqual has undertaken that has involved engagement with/requests for information from various awarding organisations are:</p> <ul style="list-style-type: none"> • Marking study – Ofqual conducted marking studies which included an experimental study to trial various modifications to marker training and mark schemes to determine if they improve marker reliability. • Optionality – to gain deeper understanding of the comparability of optional routes through examination papers and the effect this may have on standard setting.
Changes to management of regulator	<p>Ofqual has formally agreed with the Institute for Apprenticeships & Technical Education to expand Ofqual’s role in delivering the provision of External Quality Assurance of apprenticeship End-Point Assessments.</p>



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