

Annual Statement of Compliance 2016

Instructions for completing and submitting your
annual statement to Ofqual in 2016



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Instructions for the annual statement to Ofqual 2016

Introduction

Your annual statement to Ofqual provides us with your judgements about your levels of compliance with the General Conditions of Recognition¹ and additionally any Special Conditions that apply specifically to you.

All recognised awarding organisations are subject to the Conditions, and as a recognised awarding organisation you must be compliant with them. We expect you to be able to understand the General Conditions and any Special Conditions that apply to you, and evaluate your compliance with them. Your annual statement is your evidence to us that you do this.

This document contains instructions for completing and submitting your annual statement to us for 2016, in accordance with Condition B2 (see Appendix 1).

What are we interested in?

We expect you, as a recognised awarding organisation, to evaluate objectively and critically your levels of compliance with the Conditions to which you are subject.

This is about being self-aware and understanding where you are and are not compliant. To achieve this, you should have systems and processes in place to compare what you do, and how you do it, with the requirements of the Conditions.

As stated in Condition B2.4, your statement must be accurate. This is why it is important to evaluate your levels of compliance. If, through any regulatory activity, we find that your statement is incorrect you may be in breach of this Condition and subject to regulatory action.

What are we asking you to provide?

We ask you to confirm whether or not you:

- are fully compliant with all of your Conditions; and
- have cause to believe that you are likely to fail to comply with any of your Conditions within the next 12 months.

If you tell us that you are not compliant with one or more of your Conditions, we ask you to describe each non-compliance and when you expect to become compliant.

¹ <https://www.gov.uk/government/publications/general-conditions-of-recognition>

If you tell us that you are likely to become non-compliant with one or more of your Conditions, we ask you to describe:

- each potential non-compliance;
- how you know you are likely to fail to comply; and
- the action(s) you are taking or plan to take.

Finally we ask you to declare that your statement is accurate and has been approved by the chair of your Governing Body and responsible officer.

How do you submit your statement?

We would like you to submit your statement using an online form. We will write to you again before the window opens to explain how to access and complete this.

The online form will be available from **1st June 2016** until the deadline date for submission, which is **midnight on 30th September 2016**.

You will need to make sure you submit your completed statement by this date. You can submit your statement at any time during this window.

What will we do with the information?

Your statement will form part of the overall picture that we have of you. We will use it in conjunction with other information we hold about you to inform our wider regulatory approach. Your statement provides us with an insight into how you view your compliance and gives us a point-in-time snapshot of the overall regulated market.

Where we are content that you are managing any actual or potential non-compliance appropriately, we may ask that you keep us updated or simply note the information for our records. Where we are particularly concerned about something you tell us, we may ask for additional information or investigate more closely.

We recognise that the information you provide may be commercially sensitive. We would not normally disclose any information you provide to us unless we are required to do so to comply with our legal and statutory obligations, or to enable us to fulfil our regulatory functions.

Appendix 1 – Condition B2: The annual statement to Ofqual

- B2.1 An awarding organisation must provide to Ofqual an annual statement in accordance with this condition.
- B2.2 The statement must specify either
- (a) that the awarding organisation is fully compliant with its Conditions of Recognition at the date of the statement, or
 - (b) that it is not so compliant, in which case the statement must describe each instance of non-compliance and the date by which the awarding organisation expects to rectify the failure.
- B2.3 The statement must also specify either
- (a) that the awarding organisation has no cause to believe that it will be likely to fail to comply with any of its Conditions of Recognition during the period of twelve months immediately following the date of the statement, or
 - (b) that it does have such a cause for belief, in which case the statement must describe each instance of potential non-compliance, the grounds for believing it to be likely to occur, and the steps being taken by the awarding organisation in relation to it.
- B2.4 The statement must be accurate, formally approved by the Governing Body of the awarding organisation, and signed by the chair of the Governing Body and the responsible officer.
- B2.5 The statement must be made in any form and on any date as may be notified to the awarding organisation by Ofqual.

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