

Decisions on Ofqual's approach to regulating Technical Qualifications



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Contents

Introduction.....	2
Areas with changes to our consultation proposals.....	4
Assessment availability and retakes.....	4
Results and certification	6
Setting and marking assessments	8
Working Towards grade	12
Proposals to be adopted unchanged	13
Qualification purpose.....	13
Assessment structure.....	14
Prior learning.....	16
Accreditation	17
Assessment strategies.....	17
Outline content.....	18
Assessment objectives.....	19
Assessment controls.....	20
Reviews of marking and appeals	21
Grading	22
Setting and maintaining grade standards.....	23
Other proposals	25
Equality analysis.....	27
Regulatory impact analysis	30

Introduction

The government is introducing new Technical Qualifications in England as part of its T Level reform programme. Technical Qualifications will be substantial, level 3 qualifications, based on outline content devised by T Level panels. The Institute for Apprenticeships (the Institute) will oversee T Levels and the Technical Qualifications within them; Ofqual will regulate the Technical Qualifications.

Each Technical Qualification will be offered by a single awarding organisation, through a contract with the Institute. There are expected to be approximately 25 T Levels (and associated Technical Qualifications) available across 11 routes.

We consulted between 10 July and 6 August on our approach to regulating Technical Qualifications¹. This document sets out the decisions we have taken on our approach following the consultation. We are publishing these decisions at the same time as we publish our technical consultation² which sets out the Conditions, requirements and guidance we propose to put in place to implement our approach.

Areas with changes to our consultation proposals

[Assessment availability and retakes](#)

[Results and certification](#)

[Setting and marking assessments](#)

[Working Towards grade](#)

Proposals to be adopted unchanged

[Qualification purpose](#)

[Assessment structure](#)

[Prior learning](#)

[Accreditation](#)

[Assessment strategies](#)

[Outline content](#)

¹ www.gov.uk/government/consultations/ofquals-approach-to-regulating-technical-qualifications

² www.gov.uk/government/consultations/implementation-of-technical-qualifications

[Assessment objectives](#)

[Assessment controls](#)

[Reviews of marking and appeals](#)

[Grading](#)

[Setting and maintaining grade standards](#)

[Other proposals](#)

Impact analysis

[Equality analysis](#)

[Regulatory impact analysis](#)

Areas with changes to our consultation proposals

In the areas set out below, we have made changes to our consultation proposals to reflect respondents' feedback.

Assessment availability and retakes

What we proposed

- to set a requirement that all assessments for Technical Qualifications should only take place in May/June
- to set a requirement that the whole of the Core should be assessed together and the whole of each Occupational Specialism should be assessed together
- to require that retakes could only take place in May/June
- to require that a student wishing to retake an assessment must retake all associated assessments for that part of the Technical Qualification (the whole of core knowledge and understanding, and/or the whole of core skills, and/or the whole of an Occupational Specialism)
- to require that where an awarding organisation ceases to make a Technical Qualification available, it must ensure that arrangements are in place to allow students to retake their assessments

Responses received

Views on assessment availability were fairly mixed. While some respondents felt it would be desirable to allow assessments to be taken more frequently than once a year, others felt that the approach of a single assessment series was appropriate, and worked in other qualifications. The main concerns raised in relation to assessment availability were about the manageability of running such a series, particularly when combined with our proposal for all assessments to be marked by the awarding organisation. Respondents felt that a single series could make it difficult for awarding organisations to recruit enough suitably qualified assessors.

Respondents also commented that the nature of the industry placement for some Technical Qualifications may mean that the best time for it to take place would be during the summer. They were concerned that restricting assessments to May/June could impact on such industry placements.

Other major concerns, however, were about our proposal not to allow an additional series for retakes, and to require that retakes only take place during the proposed May/June assessment series. Respondents felt this could disadvantage students, particularly those that wished to retake after the second year, who would have to wait

a year to retake, during which time they would be unlikely to be studying. Respondents felt that many students may simply not retake. There was a strong preference for there to be at least one additional retake series, although not necessarily a consensus about when that should be.

Our decision

We have decided to change the approach we consulted on:

- **to require an awarding organisation to provide a minimum of one assessment series for the Core and the Occupational Specialisms (either in a single series, or a separate series for each)**
- **to allow, but not require, a maximum of one additional assessment series for the Core and the Occupational Specialisms (either in a single series, or a separate series for each)**
- **to allow each assessment series to be used both for students sitting assessments for the first time and those retaking assessments**
- **not to specify when in the year these should take place. It will be for an awarding organisation to determine based on the requirements of the particular Technical Qualification and to explain its approach to assessment scheduling as part of its assessment strategy**

We have decided to implement the following consultation proposals unchanged:

- **to set a requirement that the core examination and core project should be assessed together in the same series and the whole of each Occupational Specialism should be assessed together in the same series**
- **to require that a student wishing to retake an assessment must retake all associated assessments for that part of the Technical Qualification (the whole of core knowledge and understanding, and/or the whole of core skills, and/or the whole of an Occupational Specialism)**
- **to require that where an awarding organisation ceases to make a Technical Qualification available, it must ensure that arrangements are in place to allow students to retake their assessments**

We have considered the responses to the consultation, in particular those relating to assessment availability and retakes. It is clear that respondents feel that the nature and purpose of the qualification mean that only allowing assessments once a year

may disadvantage learners. Respondents also raised concerns about the timing of the single assessment series we proposed, and the possible impact of this on the industry placement for some Technical Qualifications.

While some similar concerns were raised, there was not a consensus about what the most suitable alternative would be. In revising our approach, we have therefore considered the issues raised by respondents, and balanced these against our own statutory objectives, in particular relating to the maintenance of standards. We believe our revised approach allows for the flexibility that respondents felt necessary, while ensuring that Technical Qualifications are not broken down into modular assessments taken throughout the course. By not prescribing the timing of assessments, awarding organisations will be able to determine, and explain in their assessment strategy, the most appropriate approach for a particular Technical Qualification (for example taking into account the size of the Core for an individual Technical Qualification in determining when within the course an assessment should take place, or considerations around the timing of an industry placement).

We have not amended our proposals in relation to the requirements for all of the Core and all of each Occupational Specialism to be taken together, nor for retakes to require students to take all associated assessments. These proposals were generally supported and we feel are necessary to help secure standards, particularly in light of the revised approach to the scheduling of assessments outlined above.

Respondents supported our proposed approach to require any awarding organisation which ceases to make a qualification available to ensure that students are not disadvantaged by making retake opportunities available. While we intend for this approach to be implemented, we will not make it a part of our requirements, as this will be managed by contractual provisions between the Institute and the awarding organisation and through the requirements in our General Conditions³ that awarding organisations must comply with when they withdraw a qualification.

Results and certification

What we proposed

- to provide guidance against Condition H6 (Issuing results) to ensure that awarding organisations issue results in a timely manner to inform the T Level certification process and that these results provide the information required for users to base a decision on whether to retake an assessment or request a review of marking (or moderation)

³ Condition D7 (Management of the withdrawal of qualifications)

- To disapply Conditions I3 (The design and content of certificates) and I4 (Issuing certificates and replacement certificates) for Technical Qualifications taken in England, meaning that awarding organisations would not be required to issue certificates for these students

Responses received

Respondents supported our proposal for awarding organisations to issue results that included sufficient detail for students and centres to take decisions about whether to request a review of marking or to retake assessments.

In relation to our proposal not to require awarding organisations to issue certificates for Technical Qualifications, respondents recognised that our proposed approach would allow for government policy to be delivered. Respondents did, however, raise some concerns in relation to the government policy itself.

Respondents felt that it was unfair on students not to issue a certificate for the Technical Qualification separately to the overall T Level certificate. They felt that a student who passed the Technical Qualification, but could not complete a T Level because they did not complete all of the elements successfully, would be disadvantaged and this was a particular concern in relation to disabled students. Respondents felt strongly that students who complete the Technical Qualification should receive a certificate for this.

Respondents also commented that a certificate is a key element of a qualification and should be issued for a Technical Qualification. Respondents raised issues of fairness, in particular contrasting the position for students outside England who may be able to take Technical Qualifications as standalone qualifications and therefore be entitled to receive a certificate.

Our decision

In line with our consultation proposals we will:

- **provide guidance against Condition H6 that awarding organisations must issue results for Technical Qualifications. These must include sufficient detail to inform decisions about whether student wishes to request a review of marking or to retake an assessment. It must be clear that such a statement of results is not a certificate**
- **disapply Conditions I3 and I4 so that awarding organisations are not required to issue a certificate for a Technical Qualification taken in**

England on the basis that a statement of achievement will be implemented.

We recognise that there is a strong view among respondents that students should be given a certificate for the Technical Qualification that is separate to the overall T Level certificate. We recognise the concerns raised by respondents, in particular those relating to the equality impact on disabled students who are not able to complete other parts of their T Level programme due to their disability, who may therefore be unable to receive a certificate that recognises their T Level achievements.

The decision not to issue a Technical Qualification certificate is one that has been determined by the government to ensure that as many students as possible are offered and supported to complete the full T Level programme; our proposal was to amend our Conditions to allow the policy to be delivered. If we left our Conditions in place, an awarding organisation might be required to issue a certificate, which would conflict with the contractual provisions between the awarding organisation and the Institute, which would prohibit such a certificate being issued. By proposing to disapply these Conditions, an awarding organisation would not be required to issue a certificate, which would allow the awarding organisation to comply with the contractual provisions set by the Institute (which will not allow the Technical Qualification to be separately certificated).

We have discussed the concerns expressed by respondents with both the Department for Education and the Institute, to seek to find a resolution which allows for the government's stated policy intention to be delivered, while ensuring that students are not disadvantaged, and can have their achievements in the Technical Qualification recognised.

It has been agreed that a statement of achievement can be issued to students where they have successfully completed some element of the T Level. We have therefore decided to disapply Conditions I3 and I4 on certification. We will continue to work closely with DfE and the Institute on the implementation of this approach, including consideration of equalities implications.

Setting and marking assessments

What we proposed

- to require all core knowledge and understanding assessments to be Assessment by Examination and to be set and marked by the awarding organisation

- to require all core skills assessments to be set and marked by the awarding organisation (with employer input, as appropriate, into setting the project)
- to require all Occupational Specialisms assessments to be set and marked by the awarding organisation (with employer input, as appropriate)

Responses received

Responses to these proposals tended to vary between the approach to setting and marking assessments, and between core knowledge and understanding, core skills, and the Occupational Specialisms.

For core knowledge and understanding, respondents supported our approach to use the definition used elsewhere in our framework, that this should be an Assessment by Examination, meaning it is set by the awarding organisation, designed to be taken simultaneously by all relevant learners, and under conditions specified by the awarding organisation. This would also be marked by the awarding organisation. Respondents recognised that this matched the government's intention that this should be externally assessed.

Respondents generally supported our proposal that assessments for core skills and the Occupational Specialisms should be set by the awarding organisation. Respondents felt it important that employers were involved in the setting of assessments, as set out in the government's technical annex. They also felt it important that assessments allowed sufficient flexibility for centres to contextualise them to meet the needs of students or specific local requirements.

Respondents' views on marking assessments were more mixed. Generally, for both core skills and the Occupational Specialisms, respondents preferred more flexibility to allow centre to mark assessments in addition to awarding organisations. Respondents did, however, recognise that, as set out in the consultation, requiring awarding organisations to mark assessments would provide the greatest level of control.

The main issues raised in relation to the requirement for these assessments to be marked by awarding organisations related to the manageability for awarding organisations, particularly when combined with our proposal for all assessments to only take place in May and June. Respondents felt that this would mean a greater number of assessors would be required to complete all assessments within this window and they were concerned about being able to recruit enough suitably qualified assessors. Linked to this, awarding organisations were concerned about the cost to them of marking all assessments.

Some respondents also questioned whether awarding organisation marked assessments would always be the most valid way of assessing core skills and in

particular Occupational Specialisms, in all cases. Respondents commented that until content for future Technical Qualifications has been developed, it is difficult to provide a definitive view, but they felt that there should be flexibility to allow for different types of assessment.

The concerns about marking were greater in the Occupational Specialisms than for core skills. Respondents felt that it would be more possible for awarding organisations to mark core skills assessments than it would the Occupational Specialisms.

Our decision

In line with our consultation proposals:

- **to require that core knowledge and understanding is assessed through Assessment by Examination⁴ and is marked by the awarding organisation**
- **to require that the core skills project and Occupational Specialism assessments are set by the awarding organisation (with employer input as appropriate)**

We have decided to adjust our consultation proposals as follows:

- **for Occupational Specialisms and the core skills project, awarding organisation marking is to be the starting point, but exceptionally centre marking will be permitted where this is necessary to ensure the validity and/or manageability of the relevant assessment.**
- **to provide guidance:**
 - **that centre marking should only be allowed where it is not possible for an awarding organisation to mark an assessment (or part of an assessment) validly due to the nature of the assessment and**
 - **that its arrangements must ensure that centre marking is, as far as possible, as robust as if it had been conducted by the awarding organisation**

⁴ An assessment which is - (a) set by an awarding organisation, (b) designed to be taken simultaneously by all relevant Learners at a time determined by the awarding organisation, and (c) taken under conditions specified by the awarding organisation (including conditions relating to the supervision of Learners during the assessment and the duration of the assessment).

- **For those circumstances where centre marking is permitted, to provide guidance on what moderation controls are likely to be appropriate.**

We have decided that all assessments should be set by awarding organisations. The core skills project is described in the government's technical annex as an employer-set project. Our decision will not change this; we would expect an awarding organisation to work with employers to develop these assessments, but it will be the awarding organisation who actually provides the brief to centres. Our decision will not prevent an awarding organisation from allowing assessment tasks to be contextualised where necessary. We will not prescribe the way that briefs are set; an awarding organisation may choose to set more than one assessment task for centres to choose from, for example.

We have decided that core knowledge and understanding should be an Assessment by Examination and should be marked by the awarding organisation.

We have decided not to prohibit awarding organisations, exceptionally, from allowing centres to mark Occupational Specialisms or core skills assessments, with appropriate moderation arrangements in place. This will mean that under our requirements, an awarding organisation could mark these assessments, or it could permit a centre to mark assessments. We would expect, however, that where an assessment or part of an assessment, can be marked by an awarding organisation, it is. While our requirements will not prohibit centre marking, it is possible that contractual provisions between the Institute and the awarding organisation may do so.

Where the Institute does not prohibit centre marking for a particular Technical Qualification, our requirements will set out that marking for Occupational Specialisms or core skills may be done by the awarding organisation, a centre, or a combination of these approaches. They will set out that only those assessments that cannot be validly marked by an awarding organisation may be marked by the centre, i.e. the starting point for marking is that it should be done by an awarding organisation where it can be. An awarding organisation that allows centre marking will have to identify and manage any risks with this approach and put in place effective controls to ensure that any marking conducted by a centre is, as far as is possible, as accurate and reliable as if it had been conducted by the awarding organisation itself. This will include having in place moderation arrangements that allow an awarding organisation to make changes to centre marking before results are issued to students, if it finds a centre has been marking inaccurately. We will provide guidance on the type of moderation arrangements that will be necessary.

Working Towards grade

What we proposed

- to set a requirement for Occupational Specialisms to have a 'Working Towards' grade below Pass

Responses received

Views on this proposal were mixed. While some respondents felt that given the size of the Occupational Specialisms, it may be helpful to recognise a student who had not quite achieved the standard required to achieve a Pass, many others felt this grade would be confusing to users of Technical Qualifications.

Respondents felt that it would be preferable to allow a student that does not achieve a Pass to retake their assessment to try to achieve a Pass, rather than being awarded a 'Working Towards' grade. They also felt the name 'Working Towards' was confusing, as it would be likely that a student would always be working towards something, and in fact, a student would only be awarded this grade potentially after they had finished studying the Technical Qualification.

Our decision

We have decided not to require a 'Working Towards' grade for Occupational Specialisms. This means that the grades available will be Pass, Merit and Distinction, plus ungraded.

We have taken on board the points raised by respondents. As there is felt to be limited value in this grade, we will not proceed with this proposal. In conjunction with our proposal to allow additional retakes, students that do not achieve a Pass will be able to retake their assessments instead of receiving a 'Working Towards' grade. A student that does not meet the minimum requirements for a Pass grade will instead be ungraded.

Proposals to be adopted unchanged

In the areas below, we have decided to implement our consultation proposals unchanged, except for minor changes to improve clarity.

Qualification purpose

What we proposed

- to put in place a qualification purpose for Technical Qualifications

Responses received

Respondents felt that it was important for Technical Qualifications to have a clear purpose and generally agreed with the purpose we proposed. The main comments made by respondents related to the need to be clear about what was meant by threshold competence and about how the purpose of the Technical Qualification related to the overall T Level.

Our decision

We have decided to implement our proposal to put in place a qualification purpose for Technical Qualifications. The purpose will not be a Condition, but will be set out at the start of our qualification level Conditions, to establish the context within which all of our requirements should be understood

We have included the text of our Qualification Purpose in our technical consultation

As set out in our consultation, we believe it is important to establish a clear purpose for all Technical Qualifications. As respondents supported this, we have adopted it largely unchanged. We have set out our proposed qualification purpose in our technical consultation.

Many of the comments made related to issues that were outside of the scope of the consultation. Our proposed purpose reflected the aspects of the government's wider purpose statement, that relate most closely to our statutory objectives, in particular those relating to standards and public confidence. We have therefore decided not to amend the purpose to reflect wider issues relating to accountability and progression, which will be set out by the government in its technical annex and through the outline content documents.

Assessment structure

What we proposed:

- to require awarding organisations to assess Technical Qualifications through a Core and Occupational Specialism(s)
- to require core knowledge and understanding and core skills to be assessed separately
- to set guidance around the weighting of the core skills project within the Core
- to require awarding organisations to specify combinations of Occupational Specialisms that may, or may not, be taken in combination
- to require Occupational Specialisms to be assessed separately to one another
- to provide guidance that performance outcomes in Occupational Specialisms should be assessed together where possible
- to set requirements or guidance that TQs should be assessed in the smallest number of assessments possible while remaining manageable
- to set requirements and guidance on the titling of Technical Qualifications and Occupational Specialisms

Responses received

These proposals cover a number of different consultation questions. They mainly reflected what was set out in the government's technical annex, in terms of how the Technical Qualification should be structured. We were consulting on the requirements needed to deliver these, not the government's proposals. Respondents were generally supportive of these proposals, recognising that they were necessary to deliver the government's policy.

Respondents felt that setting out these requirements would help to ensure consistency across Technical Qualifications. Some respondents commented that it would be important to recognise that the core skills project may also assess some core knowledge and understanding.

Some respondents commented that it would be necessary to be clear about what is meant by performance outcomes being assessed together. They commented that while this would be desirable, it may not always be possible, depending on the nature of the performance outcomes within each Occupational Specialism.

Respondents felt that it was helpful to provide guidance on the weightings for the core exam and core project within the Core. Some provided views on what these weightings should be, although there was not a clear consensus. Some felt the weightings we proposed (for core skills to form 25-40% of the Core) were appropriate, while others suggested higher or lower figures. Respondents commented that it would be important for any weightings to reflect what was set out in outline content. Respondents commented that it is not possible to provide a definitive view until the content for future Technical Qualifications is known, therefore a range is more suitable than providing a fixed figure.

Respondents supported our proposal for Technical Qualifications to be assessed through the smallest number of assessments possible, while remaining manageable. Respondents felt such an approach would strike a balance between flexibility and rigour. They were keen that the burden on schools and colleges was considered, and that this was manageable for schools and colleges. Some respondents commented that if any requirements were too strict, which it could restrict the flexibility for awarding organisations to create assessments that meet the needs of students and employers.

Our decision

We have decided to implement these proposals in relation to assessment structure as consulted on.

We have decided, in line with our proposed guidance, that our guidance will set a weighting of 25-40% for the core skills project within the Core.

We believe it is important that Technical Qualifications are structured consistently and in line with the government's expectations, as set out in its technical annex⁵. We recognise that in some cases, core skills projects may also assess some core knowledge and understanding. This is the intention set out in the government's technical annex. Our proposals were not intended to preclude this and we have sought to make this clear in our proposed requirements. Respondents supported our proposed approach, so we have decided to implement it as consulted on.

We recognise that it may not always be possible for performance outcomes within an Occupational Specialism to be assessed together. Our intention was not that this must always happen, but that it should happen wherever this is possible. We have made sure this is explained clearly in our proposed requirements.

⁵ www.gov.uk/government/consultations/implementation-of-t-level-programmes

We have decided to put in place guidance on the weighting of core skills within the Core, and for this to be 25-40% of the Core, as proposed in our consultation. Providing guidance will help to ensure a degree of consistency, while allowing flexibility to meet the needs of individual Technical Qualifications. By setting this out in guidance instead of requirements, it will mean that if, in future, a Technical Qualification is developed for which these ranges are not appropriate, an awarding organisation could propose a different range, supported by an explanation in its assessment strategy.

In addition, and for the purpose of clarification, some of our proposals elsewhere, particularly in relation to the moderation of centre assessments and setting of grade boundaries, would necessitate assessments using a mark-based approach (as opposed to tick-lists of criteria that centres apply to student performance for example).

Prior learning

What we proposed

- to put in place a requirement for an awarding organisation to recognise prior learning in Technical Qualifications, where this is possible

Responses received

Respondents supported this proposal. They felt that it would be important for learners to be able to have prior learning recognised. They felt it would be important to be clear about what prior learning could be recognised and that this must be clearly documented. They felt it important that any prior learning recognised meets the needs of employers and learners.

Our decision

We have decided to implement this proposal in relation to prior learning as consulted on.

The government has set out its expectation that prior learning should be recognised in Technical Qualifications where this is possible. The nature of the different Technical Qualifications that will be available means that it will not always be possible to recognise prior learning across Technical Qualifications, due to differences in the outline content. The Institute will determine where prior learning may count across Technical Qualifications. Where such content is identified, we will require awarding organisations to allow this.

Accreditation

What we proposed

- to require Technical Qualifications to be accredited by Ofqual and for this to be against our existing accreditation criterion

Responses received

Respondents supported this proposal. They commented that it is important, to ensure the quality of Technical Qualifications, that they are checked before they are offered to students. Respondents felt that our existing accreditation criterion, which requires Technical Qualifications to meet all applicable Conditions and requirements is suitable for the accreditation process.

Respondents commented on the need to ensure that any accreditation process fits in with the overall timeline for delivery of Technical Qualifications and that the process aligns with the Institute's overall approvals process for T Levels.

Our decision

We have decided to implement this proposal in relation to accreditation as consulted on.

In our consultation, we set out that Technical Qualifications are new qualifications, with nationally set content and a number of different features to many others that we regulate. They are high-stakes qualifications which play a central role in the government's skills agenda. As such, we think it is important to introduce an accreditation requirement as part of the Institute's overall approval process.

Respondents supported this approach so we have decided to implement it as consulted on. We will work with the Institute as the approvals process is developed to make sure that, as far as is possible, we do not duplicate work for awarding organisations.

Assessment strategies

What we proposed

- to require an awarding organisation to have in place, and comply with, an assessment strategy for Technical Qualifications

Responses received

Respondents felt that requiring an awarding organisation to have an assessment strategy in place would help uphold the integrity of the qualification. They felt that requiring awarding organisations to explain their approaches would help ensure consistency across providers of Technical Qualifications. Respondents agreed that this approach would be helpful as part of Ofqual's accreditation process.

Our decision

We have decided to implement this proposal in relation to assessment strategies as consulted on. We have set out our proposed assessment strategy requirements in detail in our technical consultation

Requiring awarding organisations to put in place and comply with an assessment strategy is an approach we have taken in other qualifications, including reformed GCSE and A level qualifications. The assessment strategy allows us to review awarding organisations' approaches to delivering qualifications to ensure they are robust and will allow for valid qualifications to be delivered. The assessment strategy will form an important part of the documents we review during the accreditation process.

Outline content

What we proposed

- to require awarding organisations to explain their approach to covering outline content as part of their assessment strategy, but not to formally adopt content into our framework

Responses received

Respondents supported our proposed approach. They felt it was important that the content was covered and that there was consistency between different Technical Qualifications. Respondents felt it was important that there was flexibility to ensure that content can be changed to reflect the needs of employers, but also that any changes that were made were done in a managed way. Where changes were made, it would be important to protect the interests of learners and to allow time for teachers to familiarise themselves with new content.

Our decision

We have decided to implement this proposal in relation to outline content as consulted on

It is important that we balance the need to ensure that awarding organisations cover the outline content for each Technical Qualification, with the need to allow flexibility to accommodate changes to this content. The approach we have decided on was supported by respondents and will help to ensure this.

Assessment objectives

What we proposed

- to put in place guidance and requirements on assessment objectives for core knowledge and understanding to set out the broad types of way that content might be assessed, for example:
 - demonstrating knowledge and understanding of the material
 - applying that knowledge and understanding to different situations and contexts
 - analysing and evaluating information and issues related to the content
- To put in place guidance and requirements on assessments for the core skills project, setting out that awarding organisations should:
 - set an assessment objective in relation to each of the requirements⁶ set out in the government's Technical Annex, and
- in setting those requirements:
 - ensure the assessment objective relating to core knowledge and skills is drafted in such a way as to be specific to the relevant outline content
 - weight the assessment objectives so the assessment objective relating to the application of knowledge and skills is worth at least 50% of the marks with a reasonable balance between the remaining assessment objectives

⁶ For the core project, the government's technical annex⁶ sets out that learners will be required to: plan their approach to meeting the brief; apply core knowledge and skills as appropriate; select relevant techniques and resources to meet the brief; use maths, English and digital skills as appropriate; realise a project outcome and review how well the outcome meets the brief.

Responses received

Respondents supported this proposal. They felt that this would help provide a level of consistency of approach across different Technical Qualifications and felt it was right for these to be specified by Ofqual. They were keen, however, that anything that Ofqual does specify is not too prescriptive. One respondent commented on the proposal that the weighting for the assessment objective for application of core knowledge and skills should be at least 50%, as they felt this would 'squeeze' the other 4 assessment objectives.

Our decision

We have decided to put in place guidance on assessment objectives. We have set out our proposed assessment strategy guidance in detail in our technical consultation.

Respondents supported our approach and felt that the guidance on assessment objectives would help ensure consistency across Technical Qualifications. We have retained the proposal relating to the weighting for the assessment objective for application of core knowledge and skills to be at least 50%. As this is set out in guidance, if an awarding organisation does not feel this is appropriate for a particular Technical Qualification, it may choose to depart from this, provided it can demonstrate it has had regard to our guidance, and is able to explain its approach in its assessment strategy.

Assessment controls

What we proposed

- To put in place assessment controls (for example on the conditions which ensure that students' work can be authenticated, monitoring of schools and colleges, and managing specific risks relating to the delivery of the assessment) for core skills and Occupational Specialisms

Responses received

Respondents felt that this approach would help ensure consistency across Technical Qualifications. They felt that for T Levels to be taken seriously, it is important there is confidence that assessment processes are robust and cannot be easily manipulated. Respondents commented that it would be important that any controls that are put in place are not overly burdensome.

Our decision

We have decided to implement this proposal in relation to assessment controls as consulted on. We have set out our proposed assessment strategy requirements in detail in our technical consultation

It is important that where assessments take place in centres, and over a sustained period of time, awarding organisations manage the risks associated with this. In particular, it is important that awarding organisations are able to authenticate the work of students and to identify and manage any instances of malpractice.

We have decided to include requirements for an awarding organisation to have controls that ensure it can authenticate the work of each learner and that work is produced under conditions specified by the awarding organisation. Awarding organisations will have to explain their approach in their assessment strategy. At this stage, we have decided not to specify controls relating to individual assessments on a subject-by-subject basis, as the specific controls will depend on the outline content developed. Awarding organisations will be best placed to identify this, based on the requirements of individual Technical Qualifications.

This approach will help to ensure that appropriate controls are in place, while not unnecessarily restricting different legitimate approaches from being taken across different Technical Qualifications.

Reviews of marking and appeals

What we proposed

- to put in place requirements for awarding organisations in relation to reviews of marking and appeals based on those already in place for GCSE, AS, A level and Project qualifications
- that if, as a result of our consultation, we decided to allow centres to mark assessments, we would also put in place the necessary arrangements in relation to reviews of moderation and appeals

Responses received

Respondents supported these proposals, with most agreeing or strongly agreeing. Respondents commented that where assessments are marked by awarding organisations, it will be important to have such arrangements in place. Respondents commented that as these proposals are based on those used for other qualifications, they are tried and tested, and provide high-level protection for schools, colleges and students. Respondents supported our proposal that if centre-marking was to be permitted, then provision would also need to be made for reviews and appeals against moderation decisions.

Our decision

We have decided to implement this proposal in relation to reviews of marking and appeals as consulted on

As we have proposed to allow both awarding organisation marking, or centre marking, for occupational specialisms and the core skills project in circumstances where this is permitted by the contract between the Institute and the awarding organisation. We have decided to put in place requirements that allow for reviews and appeals of moderation

Respondents felt it is important that students or centres that do not believe their assessments have been marked correctly are able to challenge this. They also felt it was important for there to be a degree of parity between the arrangements for Technical Qualifications and others, such as GCSEs, AS, A levels and the Project. We have decided to adopt this proposal, meaning that the arrangements for Technical Qualifications will reflect those for these other qualifications. This will include incorporating a small number of minor changes which we expect to make to these requirements in other qualifications.

As we have decided, exceptionally, to permit centre marking, in addition to setting requirements for reviews of marking where this is allowed by the Institute, we will also include arrangements for students to request a review of centre marking, reviews of moderation, and for appeals against awarding organisation reviews of moderation. These will reflect the arrangements for GCSEs, AS, A levels and the Project, and are set out in our technical consultation.

Grading

What we proposed

- to put in place requirements for the Core to be graded on a scale of A*-E, plus ungraded
- to put in place requirements for Occupational Specialisms to be graded on a scale of Pass/Merit/Distinction, plus ungraded
- to put in place guidance for Occupational Specialisms regarding how assessment design must take into account this grading model.

Responses received

These proposals were to put in place the requirements to deliver the grading scale determined by the government in its technical annex. Other than the 'Working

Towards' grade which we referred to at the start of this document, we were not consulting on the grades themselves.

Some respondents felt it was confusing to have two different grading scales within the Technical Qualification. Some felt that the grading scales should be standardised, although there were mixed views about whether this should be A* to E or Pass/Merit/Distinction. Some felt that the A* to E grading scale could lead to comparisons with A levels which use the same scale, and it would be important for users to understand if the same grade between the 2 different qualifications was intended to signify the same level of achievement.

Some respondents commented on the use of Merit and Distinction grades for Occupational Specialisms, as they felt that either a student was competent or was not (i.e. a Pass), and that it would be difficult to set out what the grades above this represent.

Our decision

We have decided to implement this proposal in relation to grading as consulted on.

The grading scales proposed have been set out in the government's technical annex. Some respondents raised concerns about these, in particular about having to separate grading scales and the difficulty of articulating what a Merit and Distinction would signify in Occupational Specialisms, given that a Pass indicates threshold competence. Our proposals were about the requirements needed to implement the government's policy, we were not consulting on whether to seek to change government policy. As such, we have decided to implement these proposals.

It will, however, be important that in order to accommodate the Merit and Distinction grades in Occupational Specialisms, that assessments are designed in such a way that there are sufficient marks above the Pass threshold to award these grades. We have set out in our technical consultation our proposed requirements in this area.

Setting and maintaining grade standards

What we proposed

- to put in place requirements and guidance for setting and maintaining grade standards in the Core. Our proposals set out that:
 - awarding organisations will need to design their assessments to differentiate across the full range of available grades (A* to E)
 - A/B and E/U are designated as 'key' grade boundaries

- the remaining boundaries would be calculated arithmetically, by dividing equally the number of marks between the A/B and E/U boundaries. (The A*/A boundary would be set at the same number of marks above the A/B boundary as the B/C is below the A/B boundary.)
 - awarding organisations will report an overall grade
 - we will set rules around the types of evidence we would expect to use in setting standards
 - in setting the standards at these key grades in the first year, we might expect awarding organisations to rely more heavily, but not exclusively, on qualitative evidence
 - in subsequent years, we might expect that awarding organisations will be able to use more quantitative data to guide senior examiners in their recommendations.
- to put in place requirements and guidance for setting and maintaining grade standards in Occupational Specialisms. Our proposals set out that:
 - if there are multiple assessments within a given Occupational Specialism, the marks from all assessments will be combined
 - Pass and Distinction would be 'key' grade boundaries
 - Merit would be set arithmetically, by dividing the mark gap between Pass and Distinction
 - in setting the standard for this Pass grade, we expect that awarding organisations will use similar types of evidence as for the Core, which will include employer input into standard-setting
 - awarding organisations must produce descriptions of performance for the Pass and Distinction grades
 - we would also expect awarding organisations to produce exemplification materials, to indicate expectations to schools, colleges, students, parents and others, and for use in standard setting

Responses received

Respondents supported our proposals and felt that they would help ensure consistency across Technical Qualifications and would help uphold the integrity of the qualification. Some respondents commented that the proposed approach appeared to be based on there being a high number of written assessments.

Some respondents suggested that our approach suggested a preset grade boundary being applied. Respondents also commented on whether it would be possible to apply a compensatory model and arithmetic calculations to assessments of competence.

Some felt that the approach proposed was similar to the model applied in general qualifications, such as GCSEs and A levels. Some felt this was a good thing and would build on Ofqual's experience of regulating these qualifications; others felt that this model was not appropriate for Technical Qualifications.

Respondents welcomed the proposals that there should be grade descriptions for key grades and that awarding organisations should produce exemplification materials. Respondents commented that exemplification materials would need to be built up over time.

Our decision

We have decided to implement these proposals in relation to setting and maintaining grade standards as consulted on. We have set out our proposed requirements in our technical consultation.

Our proposed approach is not intended to set out expectations around the number of written assessments. Our requirements are drafted to require awarding organisations to consider a range of different evidence, some of which will be more applicable to some types of assessment than others. It will be for awarding organisations to balance these different sources of evidence depending on what is being assessed.

Our response does not require preset grade boundaries, as was suggested by one respondent. The approach would require awarding organisations to set grade boundaries after assessments have been taken, to take into account the difficulty of assessments and student performance. Our approach builds on our experience of regulating other qualifications, while allowing for specific features of Technical Qualifications to be taken into account.

As set out earlier, our approach to require some grade boundaries to be set arithmetically will mean that awarding organisations will need to ensure that their approach to marking allows for a mark-based approach to be taken to support this.

Other proposals

What we proposed

- to disapply Condition E1 (Qualifications having an objective and support)

- to put in place Technical Qualification-specific guidance against Conditions D3 (Reviewing approach) and E7 (Total Qualification Time)

We also sought views on whether there were any other Conditions which would need to be disapplied, or other Conditions where guidance would be required.

Responses received

Most respondents either agreed with our proposal to disapply Condition E1, or did not provide a view. A small number made specific comments on other Conditions, including those relating to notifications to Ofqual, the use of Ofqual's logo and qualification titling.

In relation to the guidance we proposed, respondents generally either agreed or did not express an opinion. Respondents commented that, in relation to keeping qualifications under review, it would be important that any changes were managed effectively and made in a timely manner.

Our decision

We have decided to disapply Condition E1 in respect of Technical Qualifications and to put in place Technical Qualification-specific guidance against Condition D3

We have decided, instead of providing guidance for Condition E7, to set a Technical Qualification-specific Condition to ensure that the TQT values assigned by awarding organisations reflect any requirements set by the Institute. We have set out the proposed Condition in our technical consultation

Equality analysis

We set out in our consultation our analysis of the potential equality impacts of our proposals. We identified that there were equality impacts relating to proposals in the following areas:

Qualification structure

We noted in our consultation that our General Conditions of Recognition require awarding organisations to make reasonable adjustments for students with disabilities, which could, for example, include allowing students to be exempted from certain assessments. Government has not yet confirmed whether Technical Qualifications will be included in the list of 'relevant qualifications' in s97 of the Equalities Act, which would have implications for the reasonable adjustments that are made available to learners.

Respondents did not identify any additional equality impacts in this area. We have set out in this document that we propose to implement these requirements as consulted on. It will be for the Department for Education to decide whether to include Technical Qualifications included in the list of 'relevant qualifications' in s97 of the Equalities Act. Our General Conditions on Reasonable Adjustments⁷ and Special Consideration⁸ will continue to apply to all qualifications, requiring awarding organisations to set out their approach in these areas.

Certification

We set out that this proposal could have a negative impact on students with a disability who are unable to complete the whole T Level programme due to their disability. A student who could not complete the work placement, for example, would not receive an overall T Level pass and would therefore receive a partial attainment statement and not a certificate, even if they had successfully completed the Technical Qualification within the T Level.

Respondents expressed strong views, both in response to this question on equalities, and in response to the specific question about this proposal. Respondents agreed with our assessment that this proposal could potentially negatively impact learners with protected characteristics. They felt that disabled learners who could not complete the overall T Level would be negatively impacted, by not being able to receive a certificate for the Technical Qualifications to recognise their achievements.

⁷ Condition G6

⁸ Condition G7

We have set out in this document that we have decided to disapply these Conditions on the basis that a statement of achievement will be implemented. We will continue to work closely with DfE and the Institute on the implementation of this approach, including consideration of equalities implications.

Assessment availability and retakes

We had proposed that all assessments in the Core and all assessments in an Occupational Specialism should be taken together and that there should be only a single assessment opportunity in each academic year (with no additional retake opportunity). We identified that these proposals were likely to lead to learners with certain protected characteristics suffering a disadvantage, for example due to pregnancy or maternity, participation in religious festivals, or gender reassignment. The proposals could also have disadvantaged students with certain disabilities, particularly those with chronic or fluctuating conditions.

Respondents agreed with our assessment that this could negatively affect learners. Respondents provided strong views, in particular, about retakes. Some of these related to the equalities implications of our proposals and others were more general concerns that related to all students.

In response to these concerns, we have revised our proposals to allow additional assessment opportunities, including for retakes. We have set these out in detail earlier in this document. We believe that our revised approach will help to mitigate many of the equality impacts that respondents raised in relation to our original proposals.

Working Towards grade

We consulted on the introduction of a 'Working Towards' grade in the Occupational Specialisms. We considered that this approach may have a positive impact on students that share protected characteristics. It could mean, for example, that a student who is unable to achieve a pass, for example because of a disability, will still have their achievement recognised.

Respondents did not support this proposal, although most of these responses were more general opposition to the proposal, rather than specifically on equalities grounds. We have set out earlier in this document our decision not to implement this proposal. This is likely to reduce the positive impact of our approach on learners with certain protected characteristics, but we consider the fact that there are more assessment opportunities is likely to balance this out.

Other issues raised

The majority of the equality impacts identified related to the areas set out above. Some respondents made comments that assessments by examination could disadvantage students who, because of a disability, do not perform well in such assessments. As the intention for core knowledge and understanding to be externally assessed has been set by government, we have decided not to amend our proposals in relation to this response. The structure of the qualification means that students will receive an aggregated grade for the Core, so performance in the core skills project will be able to compensate for performance in the core knowledge and understanding assessment to some extent. In addition, the design of the qualification will limit the amount of the qualification which will be assessed through examinations. The overall Core will be worth between 20-50% of the Technical Qualification. Our proposed weighting for the Core will mean that the core knowledge and understanding exam will make up a maximum of 60-75% of this. This will help minimise any disadvantage to students who may not due to their disability perform well in examinations.

Some respondents also commented on the impact of our proposals on students' mental health. As this is not a protected characteristic under the Equality Act, this was not within the scope of these proposals. This will, however, be considered, as part of our accreditation within the Institute's approvals process, the manageability of Technical Qualifications and awarding organisations' rationale for how they have structured their assessments.

Regulatory impact analysis

We have considered the regulatory impact of our proposals and set out our view of the potential impacts as part of our policy consultation. The areas which we thought would have a particular impact were as follows:

Accreditation requirement

We set out that awarding organisations wishing to offer Technical Qualifications would need to meet additional regulatory requirements to be accredited as a result of our proposals. However, we felt this proportionate to the need to maintain standards and public confidence in Technical Qualifications.

Respondents agreed with this proposal, with many supporting our proposed accreditation approach. We have set out earlier in this document our decision to implement this proposal as consulted on.

Assessment availability/retakes

We set out in our consultation that while allowing fewer assessment opportunities would reduce the burden on schools, colleges and awarding organisations of running assessment series, it would focus all of the burden on one particular point in the year.

Respondents generally agreed with our assessment. Many commented that additional assessment and retake opportunities should be available, but these responses focussed on this being necessary to support the needs of learners, rather than issues relating to burden. A small number of respondents commented that if we were to allow additional assessment opportunities, there could be additional burden on schools and colleges who would have to run these series at times of the year when other exams were not taking place.

We have set out in this document our decision to allow awarding organisations to make additional assessment opportunities available. We recognise that this will create an additional burden on schools and colleges, as well as awarding organisations. However, the feedback to the consultation suggests that this would be outweighed by the benefit to students of allowing additional assessment opportunities, in particular for retakes.

Setting and marking assessments

We set out in our consultation our view that our proposed approach to requiring awarding organisations to set and mark all assessments was likely to impose an additional burden on awarding organisations. We also set out that we felt that this approach would reduce the burden on schools and colleges.

Respondents felt strongly that some assessments should be allowed to be marked by centres. The main arguments for this were that some assessments would be more valid if assessed by centres, and that requiring all assessments to be marked by awarding organisations was simply not manageable, given that they would also all have to take place only in May and June.

We have set out in this document that we will adopt our proposal for core knowledge and understanding assessments to be set and marked by awarding organisations. We have amended our proposal for core skills and Occupational Specialisms to allow, exceptionally, for centre marking where this is permitted by the Institute, and where it is not possible for an awarding organisation to mark all of these assessments.

Many of the concerns raised were about the manageability for awarding organisations of marking all core skills and Occupational Specialism assessments. We have set out in this document our decision not to require that these assessments are marked only by awarding organisations. The requirements we have proposed in our technical consultation will allow for marking by an awarding organisation, a centre, or a combination of these approaches. We do, however, believe that where possible, awarding organisation marking is likely to provide the greatest assurance in terms of the overall standards of the Technical Qualification, so wherever possible, this approach should be used.

Review of marking, moderation and appeals

We set out our proposal that awarding organisations should have to follow detailed requirements to allow centres and students to request reviews of marking and appeals. We also set out that results provided by awarding organisations would need to include sufficient detail to inform decisions about whether to request a review of marking.

We have set out in this document our decision to implement this proposal, and to also put in place arrangements to allow for reviews and appeals against moderation decisions.

Respondents did not raise specific concerns in relation to the impact of this proposal.

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