

GUIDANCE

# Extended Extraordinary regulatory framework: Vocational and Technical Qualifications, COVID-19 Guidance

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# Contents

<b>Guidance in relation to the Adaptation of VTQs</b> .....	<b>3</b>
<b>Context</b> .....	<b>3</b>
<b>Principles for 2020/2021</b> .....	<b>3</b>
Process.....	4
Examples of issues that may need to be mitigated.....	4
Adaptation approaches.....	5
Additional factors .....	5
<b>Consistency of approach</b> .....	<b>6</b>
<b>Working with Centres and others</b> .....	<b>6</b>
<b>Building resilience</b> .....	<b>7</b>
<b>Guidance on remote Invigilation</b> .....	<b>8</b>
<b>Guidance on compliance with General Condition A8 in relation to VTQs</b> .....	<b>9</b>
<b>Guidance on compliance with General Condition D2 (Accessibility of qualifications) in relation to VTQs in 2020/2021</b> .....	<b>9</b>
<b>Guidance on compliance with General Condition G7 (Arrangements for Special Consideration) in relation to VTQs in 2020/2021</b> .....	<b>10</b>

# Guidance in relation to the Adaptation of VTQs

Condition ExtVTQCov2.2 allows us to specify requirements and guidance in relation to the Adaptation of qualifications in 2020/2021.

We set out our guidance in relation to Adaptations in 2020/2021 below.

We have issued separate guidance under Condition ExtVTQCov2.2 in relation to remote Invigilation.

## Context

The coronavirus (COVID-19) pandemic has resulted in a loss of education and training since March 2020. Many Learners have experienced disruption to, or a lack of, teaching, learning and assessment since that date. It is likely that a number of public health restrictions will be in place during the next academic year, and that further disruption may occur on a localised basis. Teaching, learning and assessments may, therefore, continue to be affected for the rest of 2020 and possibly 2021.

We anticipate that many courses will face compressed teaching time and that there will be a need to maximise the teaching time that is available. Where Learners have experienced disruption to their teaching and learning time since March, Centres may have to take steps to aid Learners to 'catch up' on time away from their Centre. Localised disruption and public health requirements, such as the use of social distancing measures, may affect whether and how assessments take place.

The government's expectation is that assessments should take place in the academic year 2020/2021 as this is the fairest way to ensure that Learners are issued with results which reflect their level of attainment. Therefore, insofar as it is in their power to do so, awarding organisations will need to mitigate disruption to teaching, learning and assessment, where it has occurred, or continues to occur, to ensure that as many Learners as possible have the opportunity to receive a fair result and are not disadvantaged by the longer-term impacts of the pandemic.

Where assessments and qualifications cannot progress as they normally would, awarding organisations must consider Adapting their assessments and qualifications. Awarding organisations that have used Adaptations to mitigate disruption during summer 2020 may also choose to continue to apply some or all of those Adaptations in 2020/2021.

The Extended ERF gives a permissive approach to Adaptation of qualifications and assessments for 2020/2021. However, awarding organisations are not required to make Adaptations if it is not necessary or appropriate to do so. Awarding organisations must have regard to this guidance when determining which approach to take to their assessments and qualifications in 2020/2021.

## Principles for 2020/2021

Where an awarding organisation decides to make Adaptations to its assessments and qualifications for VTQs, Condition ExtVTQCov2.3 allows us to specify principles

with which an awarding organisation must comply. Those principles are set out in the Requirements to the Extended ERF.

The principles do not form a hierarchy wherein compliance with one should be achieved in preference to compliance with another. An awarding organisation should take all reasonable steps to comply with each of the principles to the fullest extent possible.

## Process

When determining whether there is a need to mitigate any continuing disruption to teaching, learning and assessment, and, if necessary, how to do so, an awarding organisation should consider what is required in the context of its specific qualification(s). When doing so, an awarding organisation may find it useful to:

- Reflect on the qualification's objective, the content, structure and the assessment design and methodology. In particular, it might consider why it has made particular design choices and why qualifications are assessed in the way that they are in normal circumstances, and how these might be affected by any Adaptations.
- Identify the specific issues affecting the delivery of its qualifications and assessments that need to be mitigated.
- Identify other potential issues that may affect its qualifications and assessments and will need to be mitigated.
- Identify the options available to mitigate any issues.
- Identify any risks to Validity and Reliability arising from the Adaptation approach and how they could be mitigated.

We will expect an awarding organisation to consider all relevant risks under Condition A6 (Identification and management of risks), and the possibility of malpractice under Condition A8 (Malpractice and maladministration), when deciding whether and how to Adapt its qualifications.

## Examples of issues that may need to be mitigated

Examples of issues affecting qualifications and assessments that an awarding organisation may need to mitigate include, but are not limited to:

- Loss of teaching and learning for Learners moving into the second year of their qualification.
- Time required for Learners to settle back into their learning.
- Restricted access to Centres meaning that Learners are not able to attend as frequently as they ordinarily would.
- Work-based teaching or assessment that is impacted by public health guidance/restrictions, such as social distancing measures.
- The teaching or assessment of practical skills that is impacted by public health guidance or restrictions, such as social distancing measures.
- Access to specialist equipment is restricted or particular facilities are restricted or closed.

- Teaching or assessment that involves working in groups or teams, is client-facing, or involves a public performance whilst social distancing measures are in place.

## Adaptation approaches

Examples of ways in which an awarding organisation may Adapt a qualification or assessment in order to mitigate disruption caused by the coronavirus (COVID-19) pandemic to teaching and learning for Learners taking the qualification in 2020 and/or 2021 are set out in the Requirements in relation to the Adaptation of assessments for VTQs. Those examples are non-exhaustive and we recognise that an awarding organisation's approach may change and develop over time in order to reflect the progression of the pandemic, amendments to public health guidance and any further information that becomes available to it, which may influence its Adaptation approach.

We are not prohibiting any form of Adaptation. However, an awarding organisation should consider the necessity of any Adaptation approach, how practicable it is to implement that approach, and any risks that the approach might create.

We do not expect that the content of a qualification should be reduced. Changes to the content should be considered in exceptional circumstances where it is the only way of minimising disadvantage to Learners. The views of sector and professional bodies and other stakeholders must also be sought before any changes to content are made. However, it may be appropriate, whilst maintaining taught content, to reduce the amount of content that is assessed, or to change the way the content is assessed, without undermining the Validity and Reliability of the qualification.

Awarding organisations should consider whether an Adaptation method that is appropriate for one qualification which it makes available, is appropriate for another. It may also be that an Adaptation method is appropriate for one assessment mode (e.g. examined, non-examined, portfolio, practical skills) but not for another.

Awarding organisations should also determine whether their Adaptation approach will apply to all Learners, irrespective of whether a Learner is completing a qualification or is new to a qualification. If a Learner is unable to take an Adapted assessment, then Special Consideration may apply.

Any Adaptations to assessment requirements or delivery should also be carefully considered so that they do not undermine the Validity and Reliability of the qualification. For example, where an awarding organisation seeks to maximise the Manageability of assessments to allow for an increase in teaching time, any streamlining of assessments should be carefully balanced with the need to ensure that qualifications remain sufficiently Valid and Reliable in relation to the content assessed, and how this is achieved.

## Additional factors

Awarding organisations should consider relevant requirements other than those contained in Ofqual's regulatory framework. These include the Technical Guidance document published by the Department for Education for VTQs currently used in performance tables, the requirements of other regulators, professional bodies, or industry requirements.

Where an awarding organisation needs to find localised solutions to any further disruption, it should seek to strike a balance between the need to be responsive and any risks to comparability across the cohort, in particular where alternative approaches are required between Centres delivering the same qualification or assessment. For example, an awarding organisation may want to think through various scenarios and outcomes before deciding on the best approach, rather than implementing all of their Adaptation methods in the first instance. In response to particular circumstances, it may be necessary for an awarding organisation to re-schedule an assessment opportunity where it is not able to take place. We anticipate that this Adaptation approach will only be used in limited circumstances, such as where a local lockdown causes Centres to close for assessments or where particular facilities or work-based contexts are closed.

Existing flexibility in how, and how often, assessments are delivered in a particular qualification should be maximised to reduce the impact of disruption, illness or lockdown. For example, where appropriate, an awarding organisation should encourage Centres and Learners to explore the opportunities presented by the inherent flexibility of the modular delivery of many VTQs so that Learners can bank assessment evidence as they progress through a qualification, in order to safeguard against future disruption.

Where VTQs are offered in qualifications that have similar content to general qualifications not covered by the VTQCov Framework, and are used in similar ways, an awarding organisation should also have regard to the approach that is being taken for such general qualifications in 2021.

## Consistency of approach

Common approaches to Adaptation should, as far as possible, be followed where qualifications signal similar knowledge, understanding and skills, or practical competence, and have the same assessment approaches and delivery context.

Awarding organisations should, where possible, work with other awarding organisations and within their sector, industry or qualification type (e.g. Functional Skills qualifications) with regard to where a common approach to awarding qualifications in 2020/2021 can be achieved. If a common approach on how to mitigate any disruption to assessments and qualifications in 2020/2021 within a particular sector, industry or qualification-type is agreed, an awarding organisation should have regard to that approach where relevant, and seek to comply with it where possible and appropriate.

## Working with Centres and others

An awarding organisation should work with its Centres when determining any Adaptation methods. Centres are also reacting to the needs of Learners as the response to the coronavirus (COVID-19) pandemic evolves. The approaches that an awarding organisation takes to the Adaptation of its qualifications in 2020/2021 should not impinge on the work that Centres are also undertaking to mitigate disruption, such as blended learning or 'catch-up' sessions.

An awarding organisation should also work with their Centres, alongside relevant stakeholders (including sector and professional bodies), to ensure that the Adaptation approaches it is proposing are clear and acceptable for each qualification they make available.

However, an awarding organisation must ensure that it is clear to its Centres about the Adaptations they are permitted to make to qualifications and assessments, and it must provide sufficient guidance to its Centres in relation to those Adaptations, in accordance with ExtVTQCov4.1. Centres can only operate within the parameters set by the awarding organisation. Awarding organisations are reminded of their obligations in relation to their arrangements with Centres, as set out in Condition C2 (Arrangements with Centres). An awarding organisation must retain sufficient oversight to ensure that it knows what Adaptations its Centres are implementing.

Awarding organisations should be mindful to streamline and coordinate their communications to Centres so that they are not over-burdensome. Communications should be clear and timely.

## Building resilience

When developing its approach to Adapted qualifications and assessments in 2020/2021, an awarding organisation should ensure that they are in the strongest possible position to manage any further disruption caused by the coronavirus (COVID-19) pandemic.

The better-informed an awarding organisation is about the way in which its qualifications are being delivered, the more capable it will be of taking a targeted approach and giving an effective response to any further action that is needed to, as far as possible, mitigate the impact of the pandemic.

Awarding organisations may therefore find it helpful to reflect on whether, in the context of 2020/2021, they may need to take additional steps to:

- understand which qualifications are being offered by their Centres, which Learners are taking their qualifications and when they expect to take assessments
- understand the delivery approaches used by their Centres, what is being taught when, and how it is being taught

## Guidance on remote Invigilation

Condition ExtVTQCov2.2 allows us to specify requirements and guidance in relation to the Adaptation of VTQs taken by Learners in 2020 and/or 2021.

We set out below our guidance in relation to the use of remote Invigilation in Adapted VTQs. This guidance applies in addition to our general guidance issued under Condition ExtVTQCov2.2.

In our requirements under Condition ExtVTQCov2.2, we state that one of the potential Adaptations that an awarding organisation may make to its assessments is 'changing Invigilation requirements, for example by allowing the use of online Invigilation so that assessments can take place in a wider range of settings'.

Where online or remote Invigilation is used, under Conditions G8.1 and G9.2(c), an awarding organisation must still ensure that the relevant evidence has been generated by the Learner, and that the assessment has been completed under the specified conditions.

In light of those requirements, whether or not the use of remote Invigilation is appropriate as an Adaptation will be heavily dependent on context.

We will expect an awarding organisation to consider all relevant risks under Condition A6, and the possibility of malpractice under Condition A8, when deciding whether to use remote Invigilation as an Adaptation. The factors to which an awarding organisation should have regard, as part of that consideration, include the following –

- Whether remote Invigilation will affect the constructs to be assessed and the Validity of the assessment.
- The Learners' user experience and the parameters of delivery, for example, how the Invigilator would supervise any breaks during an assessment.
- The level of security that is required in delivery in proportion to the stake of the qualification and its purpose.
- The robustness of the awarding organisation's processes and controls to ensure that the Learner's identity can be confirmed and the evidence generated by the Learner can be Authenticated
- The capacity of the awarding organisation and Centres to operate the relevant systems and processes as intended, including, for example, whether Invigilators are adequately trained, and the scalability of the relevant systems and processes.
- The clarity around the roles and responsibilities of the awarding organisation, the Centre, and the Learner.
- The security and reliability of the software and hardware needed to operate the relevant systems and processes.
- The awarding organisation's contingency plan in the event of a delivery failure, including a failure in the relevant software or hardware.
- The awarding organisation's approach to equality issues, including Reasonable Adjustments and Special Consideration, and its approach to any Learners who do not have access to the required equipment, or whose equipment is not compatible with the relevant system requirements.
- Issues around safeguarding, health and safety, and data protection.



- Any trialling or piloting of the approach before rolling it out in full.

An awarding organisation must keep a record of its decisions and the justification for the approach it chooses to adopt for online Invigilation as part of its record keeping under Condition ExtVTQCov3.1(a)(ii).

## Guidance on compliance with General Condition A8 in relation to VTQs

Under Condition A8, an awarding organisation must take all reasonable steps to prevent the occurrence of malpractice or maladministration in the development, delivery and award of its qualifications.

Condition A8 continues to apply in relation to VTQs Adapted under Condition ExtVTQCov2.1(b), albeit that an awarding organisation will need to take account of the changed risk profile with respect to the VTQs that it makes available. As such, an awarding organisation must take all reasonable steps to prevent malpractice or maladministration that could occur in relation to an Adapted VTQ.

An awarding organisation should consider any particular risks of malpractice in relation to Adapted VTQs offered to Learners outside the UK.

## Guidance on compliance with General Condition D2 (Accessibility of qualifications) in relation to VTQs in 2020/2021

Under Condition D2, an awarding organisation must ensure that it complies with Equalities Law in relation to each of the qualifications that it makes available. Equalities Law will continue to apply in relation to VTQs which have been Adapted under Condition ExtVTQCov2.1(b).

In line with Conditions D2.2 and D2.3, an awarding organisation must continue to monitor any disadvantages to groups of Learners who share a particular Characteristic in relation to an Adapted VTQ that it makes available, and remove any disadvantage where it cannot be justified.

Under Condition D2.3(b), an awarding organisation must also keep a record of any disadvantage which it believes to be justified.

## Guidance on compliance with General Condition G7 (Arrangements for Special Consideration) in relation to VTQs in 2020/2021

Under Condition G7, awarding organisations are required to give Special Consideration to a Learner who has temporarily experienced an illness or injury, or some other event outside of their control. An awarding organisation must have in place clear arrangements for Special Consideration and must publish details of them. An awarding organisation should review those arrangements to ensure they remain appropriate in the context of the disruption caused by the coronavirus (COVID-19) pandemic.

It is possible that qualifications and assessments will be further disrupted as a consequence of the pandemic if, for example, a local lockdown impacts on an assessment opportunity. In accordance with the guidance on Condition G7, if such further disruption occurs, awarding organisation should:

- Consider whether it can Adapt, or further Adapt, its qualifications or assessment in the first instance before considering whether Special Considerations apply. For example, it should determine whether alternative assessment opportunities are available if a Learner has had to miss an opportunity for reasons connected to the Covid-19 pandemic that are outside his or her control. Where a Learner has missed teaching and learning as a consequence of public health guidance, Adaptations to qualifications and assessments should be considered, rather than Special Consideration.
- Ensure that where Special Consideration is available to Learners who have not completed all of the assessments (because of previous or future lockdowns, for example), Centres and Learners are clear about the amount of assessment evidence a Learner must have completed before a qualification can be awarded.



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