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Consultation outcome

Analysis of consultation responses for

regulating academic and technical qualifications at level 3

Updated 30 June 2022

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Background

The government is currently reviewing the qualifications available to post-16 learners at level 3. It intends to strengthen this provision, setting expectations which will ensure that qualifications available as alternatives to A levels and T Levels are high quality, and recognised as such, to enable students taking these to move into their chosen destination of further study or skilled employment.

As part of this review, the government's Review of Post-16 Qualifications at level 3 in England, Ofqual received a ministerial steer, in February 2022. This set out the government's intentions to simplify the current system, to:

- be clearer to navigate for students and other users of qualifications
- be populated by high-quality provision for which there is a clear necessity
- help students progress to their intended destinations

The steer set out that provision at this level must be strengthened in comparison to the approaches currently in place, and also set out the roles and responsibilities for future academic and technical provision at level 3, between Ofqual, Department for Education (the Department) and the Institute for Apprenticeships & Technical Education (IfATE).

The future landscape will be broadly split into alternative academic and alternative technical

qualifications. For alternative academic qualifications, the Department will set criteria to ensure all qualifications approved for funding are necessary alongside A levels. Ofqual will provide feedback to the Department about quality as part of its approvals process.

For alternative technical qualifications, the Institute for Apprenticeships and Technical Education (IfATE) will lead an approvals process, setting criteria for the various technical qualification categories. Ofqual will provide advice about quality to IfATE as part of its process.

Overall responsibility for funding decisions will sit with the Department. Ofqual will be responsible for regulating the qualifications approved for funding once they are in delivery and for recognising the awarding organisations which deliver them.

Ofqual consulted, between 24 February and 20 April, on its proposed approach for regulating these qualifications. These proposals included strengthened controls in key areas relating to the design, development, delivery and award of qualifications.

The proposed controls focussed on bringing greater awarding organisation control to key areas key to ensuring quality. This includes:

- the proportion of exam and non-exam assessment
- the availability of assessments
- approaches to setting and marking assessments
- coverage of content
- the grading scales used
- clarity on the purposes of the qualifications

The aim of the proposals was to ensure that qualifications available in the future landscape are high quality, and that assessments are valid. The proposals also sought not to impose unnecessary burdens on awarding organisations and centres beyond those necessary to secure these aims. They were intended to be manageable and deliverable ahead of a proposed first teaching date of 2025, and represent a strengthening of provision rather than full scale reform.

Some of these proposals related solely to alternative academic qualifications, with others relating to both alternative academic and alternative technical qualifications. For alternative technical qualifications, IfATE will set approvals criteria which qualifications approved for public funding must meet.

We set out in this document the responses received to our proposals.

Summary

There was broad agreement with the proposals in the consultation. There were some differences between stakeholders depending upon the type of qualification (alternative academic or alternative technical) and their respective viewpoint. Some respondents were concerned that they did not have sufficient information about the future qualifications landscape in general, or the specific requirements that would be put in place by IfATE, to provide informed answers to all the questions.

Ofqual consulted more openly on titling and grading, and these were areas where responses were more mixed. More detailed proposals in these areas will be included in the technical consultation published alongside this analysis document.

Other areas where there was less overall agreement included proposals to:

- disapply Ofqual requirements where approval for funding of alternative academic and alternative technical qualifications is removed, and in particular the proposal that awarding organisations inform Ofqual when the approval for funding was withdrawn from one of their qualifications.
 Respondents thought that placed an unnecessary burden on awarding organisations
- require that, for alternative academic qualifications, a minimum of 40% of the contribution to the
 overall qualification is through Assessment by Examination. Those who agreed with the proposal
 thought it would help to control standards and improve validity and reliability in the assessment
 of some aspects of skills, knowledge and understanding. However, some respondents
 questioned how appropriate examinations were for these qualifications

Approach to analysis

The consultation consisted of 31 questions (including regulatory and equality impact questions). Respondents were asked to complete the consultation using the online platform or email their responses to Ofqual.

Respondents to this consultation were self-selecting, and therefore the sample of those who chose to participate cannot be considered as representative of any group. Efforts were made to engage as many interested parties as possible by holding stakeholder events, using social media, posting information on the Ofqual website and via the Ofqual newsletter.

The responses to the consultation questions are presented in the order in which they were asked. For most of the questions, respondents were asked to indicate the degree of agreement or disagreement and were given the opportunity to provide a comment. Respondents were not required to answer all the questions.

In some instances, respondents answered a question with comments that did not relate to that question. Where this is the case, we have reported those responses against the question to which the response relates, rather than the question against which it was provided. In other cases, there were comments that did not relate directly to the consultation, and these have been highlighted in the respective question.

Who responded?

We received 71 responses to the consultation. One response was in relation to the overall policy of qualifications reform and did not address any of the specific proposals in the consultation. All responses have been considered as part of this analysis.

There were 55 official responses from the following types of organisations:

- 29 awarding body or exam boards
- 9 school or colleges
- 15 other representative or interest groups
- 1 academy chain
- 1 university or higher education institution

There were 16 personal responses from:

- 5 teachers
- 1 employer
- 4 individuals working in a school or college
- 2 Senior leadership team members (SLT)
- 2 awarding organisation employees
- 2 others

The respondents were based in the following locations:

- 69 England
- 1 Wales
- 1 non-United Kingdom

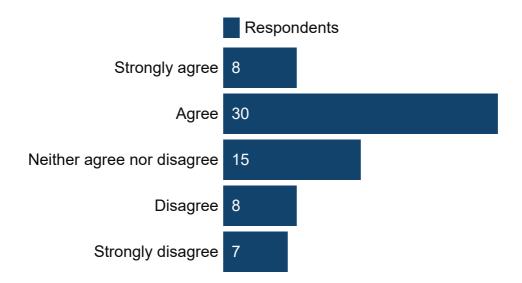
Detailed analysis

Qualification content

Question 1

To what extent do you agree or disagree with the proposed approach to the coverage of content for alternative academic and alternative technical qualifications?

Change to table and accessible view



There were 68 responses to this question. Thirty-eight respondents either agreed or strongly agreed with the proposed approach to the coverage of content for alternative academic and alternative technical qualifications and that awarding organisations would be required to explain their approach in an assessment strategy. Fifteen respondents either disagreed or strongly disagreed.

Fifty-nine respondents commented on the proposed approach. Less than half (25) of the respondents commented directly on the proposal. The remaining responses focused either on other proposals in the consultation or commented on areas of the Department's review of post-16 qualifications at level 3 out of scope of this consultation. Clarity was sought by many respondents on the occupational or professional standards that will be used for alternative technical qualifications and where they will come from if no standard currently exists. Respondents asked if

new standards will be produced by IfATE or by the appropriate professional bodies.

Four respondents stated that more clarification was needed on how much (if any) overlap of content would be permitted between alternative academic and alternative technical qualifications and/or A levels and T Levels.

Three respondents commented on the divergence of approach between England and that of Wales, Northern Ireland and Scotland where, National Occupational Standards are still in use.

Of the respondents who commented directly on the proposal, 17 agreed or strongly agreed with the proposal. This included 11 awarding organisations. Respondents welcomed the proposal that awarding organisations must explain their approaches to assessment of content through assessment strategies. One respondent suggested that some guidance on the level of detail required in assessment strategies would be welcome, to minimise the level of regulatory burden on awarding organisations.

Three respondents thought that the proposal would help to ensure consistency in approaches to the coverage of content for these types of qualifications. Six respondents thought the proposal seemed sensible as long as there was some flexibility for awarding organisations to select appropriate content for their qualifications and present their approach in their assessment strategy.

Fifteen respondents disagreed or strongly disagreed with the proposal. Eight were teachers, schools or colleges, academy chains and members of senior leadership teams. None of their comments directly addressed the proposals on content coverage and the use of assessment strategies. One challenged the assumptions on which the proposals were based, questioning whether qualifications could be split into academic and technical, or that the standards set by the Institute were suitable for some occupational specialisms.

Three of the respondents who disagreed were awarding organisations, all of whom said more information on the proposals were required. In particular, they asked for clarity on which standards would be used for alternative technical qualifications. One of the awarding organisations said the distinction between alternative academic and alternative technical qualifications was too prescriptive to reflect the diversity of the level 3 landscape. They said the vocational adult landscape appeared to be an afterthought. Another sought clarity on the overlap criteria with T Levels.

Of the other 4 respondents who disagreed, one also questioned the division between alternative academic and alternative technical qualifications, another objected to the concept of Ofqual or any other government body influencing content, a professional body raised concerns about qualifications being restricted by the Institute's occupational maps or approval processes, and a representative body raised concerns about the barriers for people with learning disabilities in accessing these qualifications.

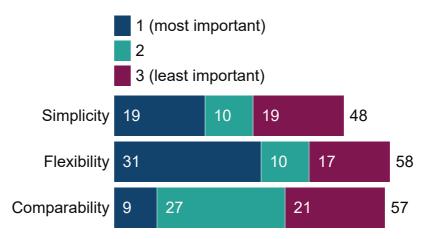
Grading scales

Question 2

Which of the following aspects do you consider to be the most important in relation to the use of grading scales for alternative academic and alternative technical qualifications:

- a) simplicity of approach for users (e.g. through the use of a common/small number of grading scales)
- b) flexibility for awarding organisations to determine approaches which best suit their qualifications
- c) ability to compare grades for the same qualifications between years (for example through the continued use of existing approaches)

Change to table and accessible view



There were 58 responses to this question. Thirty-one respondents thought flexibility for awarding organisations to determine approaches to grading which best suit their qualifications was the most important aspect to consider in relation to grading scales. Nineteen respondents rated simplicity of approach for users (for example, through the use of a common or small number of grading scales) as the most important aspect, while 9 rated the ability to compare grades for the same qualifications between years (for example through the continued use of existing approaches) as most important.

Of the 31 respondents who favoured flexibility, around half (17) were awarding organisations, a

third were teachers or schools or colleges. Twelve of the 19 respondents who considered simplicity of approach the most important aspect were teachers, schools, colleges or academy chains, or their representative groups. Of the 9 who favoured comparability, 3 were awarding organisations, 4 were teachers, members of SLTs, schools or colleges, and 2 were higher education institutions.

There were 43 comments on this question.

Overall respondents emphasised the need for grading scales to be selected because they were most appropriate for a given qualification. Many respondents noted that simplicity, flexibility and comparability were all important, and that it was the balance between them would be key. Some respondents thought it would be helpful to set parameters around the number or type of grading scales and/or grades that could be used, to simplify the overall system.

However, one respondent commented that the complexity of the current system should not be overstated as most users (students, employers, and admissions departments) only need to be familiar with one or 2 grading scales that are used in their subject areas or professions. Another respondent noted that any changes to grading scales could reduce understanding of qualifications, and potentially suggest comparability between qualifications that may not exist.

There were also many comments about the importance of grading scales being clear to users, particularly higher education institutions and employers. Respondents emphasised the need for clarity about equivalency between grades from different grading scales, and how the grades awarded for alternative academic and alternative technical qualifications relate to those awarded for A levels and T Levels. One respondent said, if the content or assessment methods for existing qualifications are changed significantly, using the same grading scale as now may imply a continuity of standards where there is none.

Respondents also commented that in some technical qualifications it is not possible to make finely graded distinctions. Any standardised or streamlined approach would need to take account of that constraint.

As with other questions, there were a few comments that asked for more detail on the plans from IfATE and the Department to be able to provide a more informed response.

Assessor judgements in directly graded assessments

Question 3

Are there any additional controls you think are necessary to secure standards in directly

graded assessments?

There were 64 responses to this question. Forty-two respondents said additional controls were not necessary and 22 respondents said they thought additional controls were necessary. Fifty respondents provided comments.

Of the 42 respondents who said that additional controls were not necessary, 22 were awarding organisations or their employees and 9 were teachers, schools, colleges or members of SLTs. The majority said they thought that the existing controls were sufficient. Most of these respondents pointed to the fact that Ofqual's conditions and requirements already specify a level of assurance that must be in place to ensure the accuracy of assessor judgements. They felt that this was sufficient to ensure that the correct controls are in place for directly graded assessments. Further points made by this group included:

- that awarding organisations have measures in place for in other qualifications. These rules have been tried and tested and so should be easily replicable for qualifications at level 3, without the need for further controls
- if the expectations for how grades are calculated and awarded are clear, then there should be no need to introduce further controls
- where controls have not historically been in place they should be introduced, such as for training and sampling

Many of the awarding organisations that responded to say further controls were not necessary referenced the work they have done to develop Centre Assessment Standards Scrutiny (CASS) strategies. They felt that meeting Ofqual's General Conditions of Recognition and the CASS requirements would be sufficient to ensure marking is accurate and consistent in directly graded assessment.

Some of the responses by those who thought no additional controls were necessary cautioned against Ofqual introducing some of the controls in place for general qualifications. This group felt the rules and controls in place for A levels or GCSEs would not be appropriate for alternative academic and technical qualifications. They thought each qualification should have controls tailored to the subject area and form of assessment. There were also concerns raised about the potential cost implications for awarding organisations and centres if new controls were to be introduced.

Of those 22 respondents who thought additional controls were necessary, 12 were teachers, schools or colleges, academy chains or representative groups. Six were awarding organisations. They thought more training for assessors and all others involved in directly graded assessments would be needed. Internal assessors, external moderators and examiners were highlighted as groups needing training and support to ensure consistency of approach, so correct grades were

issued. Two respondents also suggested the mark schemes needed to be clear and unambiguous, so that those involved in grading were able to apply marks consistently.

Many respondents suggested sampling of assessors' work as an additional control which would help to secure standards in directly graded assessments. Suggestions included blind marking of a sample of an assessor's work by an independent person, or sampling work along grade boundaries to check consistency. It was also suggested that these forms of sampling could run alongside the sampling of assessments at centre level.

A couple of the comments highlighted the need for support and training for centres, so that any new controls are followed correctly. Support and training for centre staff was highlighted by this group as key to ensure centres follow best practice. It was also suggested centres should be monitored by the awarding organisation so grading is as consistent and accurate as possible.

Some respondents thought additional controls would help to improve consistency and increase fairness. Suggestions included setting rules to make sure those delivering the qualification are not involved in assessing or grading candidates, and rules to improve consistency of approach between different qualifications and awarding organisations.

We received several responses which did not address the question directly, but made the following points:

- that students should have the option to complete assessments that are only assessed by centres, not by external bodies
- the focus of assessments should be practical and not focused on report writing
- that any controls should consider manageability for centres, particularly where specialist equipment and facilities are required
- in some subjects it is important to recognise skills that aren't captured by conventional assessment. The respondent felt that "soft skills" are as important in their subject area. They said a way to take these into consideration for the overall grade needs to be considered

Titling

Question 4

Do you have any comments on the approach to ensuring that these qualifications are identifiable to users through the use of titles?

Fifty-one respondents provided comments in response to this question. Many those who commented said that it would be helpful for these qualifications to be identifiable through their titles. Across all respondent types there was a view that it was important for the titles of the qualifications to be clear and used consistently. They said they needed to be understood by users, including, students, schools and colleges, awarding organisations and employers. In addition, respondents said it was important that titles could be understood by everyone, not just those involved in education.

Some respondents made specific suggestions about what information should be included in the title of a qualification. These included:

- the need for the titles to clearly identify the level and the size of the qualification, either through reference to the size (expressed in guided learning hours), or through commonly used terms such as 'award', 'certificate' or 'diploma'.
- being explicit in the title about what the learning outcome for a qualification is and what the progression pathways from that qualification were
- ensuring the purpose of the qualification is clear from the title
- the need for titles to relate to the industry for to which the qualification relates
- for professional bodies, the importance of making it clear, through the combination of award, title, awarding organisation and study dates that the qualification is an approved qualification

A small number of respondents said clear and consistent titling of the qualifications could be important to help establish the reputation of qualifications. Respondents said the title should help make the qualifications clearly identifiable as alternatives to A levels and T Levels. Respondents said that in a simplified landscape, clear titling requirements could help build a strong brand for these qualifications.

Some respondents commented on existing or alternative approaches to titling, and the factors should influence the extent to which a new approach was needed. These comments included that:

- Ofqual's existing titling requirements, which already require the level, type and an indication of the qualification content to be included, are sufficient
- the extent to which any additional titling requirements would be needed may depend on how different new qualifications were from previous versions, and that where qualifications were similar, retaining existing titles may help maintain trust in the qualifications
- other existing approaches, such as, for technical qualifications, endorsement by IfATE, or a field on Ofqual's Register of Regulated Qualifications, may be a better way of making approved qualifications clearly identifiable
- more limited titling requirements may be sufficient if separate requirements were set in relation to things such as size, level and indication of content set,

 changes to qualification titles, for qualifications that do not materially change, could impact on existing and historic data relating to those qualifications, making it harder to compare between years for performance tables

Respondents commented on potential complexities associated with titling requirements, including:

- that regulated titles are often different to how qualifications are more commonly described, which is often through branding rather than the regulated title
- the need for any approach to be workable both in England, and outside of England
- that common titles could suggest greater degrees of similarity between qualifications than is the case
- the need to be able to differentiate between similar qualifications, where both are regulated, but some are approved for public funding and others are not

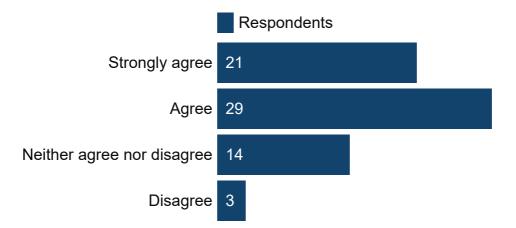
A small number of respondents commented specifically on the terms alternative academic and alternative technical, used to describe these qualifications in the consultation. They felt these terms could lead to these qualifications being seen as second-tier qualifications.

Assessment strategies

Question 5

To what extent do you agree or disagree with the proposed approach to require awarding organisations to produce and comply with an assessment strategy for these qualifications?

Change to table and accessible view



Strongly disagree (

There were 68 responses to this question. Fifty respondents either strongly agreed or agreed with our proposal to require awarding organisations to produce and comply with an assessment strategy for these qualifications. Three respondents disagreed and 14 neither agreed nor disagreed. Forty-four respondents commented on the proposal. One additional respondent provided a comment but did not say the extent to which they agreed or disagreed with the proposal.

Awarding organisations were generally in favour of the proposal, with strong assessment strategies seen as a way of evidencing and maintaining qualification quality. Respondents also thought assessment strategies would be a useful tool allowing Ofqual to see upfront how a qualification would meet the conditions of an alternative academic or alternative technical qualification. A small number of awarding organisations said assessment strategies would help ensure qualifications that were consistent and comparable across awarding organisations.

Most awarding organisations that agreed with this proposal said they would welcome a common template for assessment strategies because this would enhance consistency and comparability and minimise the regulatory burden. Some said they would also welcome an exemplar assessment strategy they could model their own on. Respondents also requested that any template should be as similar as possible for both the alternative academic and alternative technical qualifications to enhance comparability and minimise the regulatory burden for awarding organisations who offer both

Two awarding organisations thought Ofqual was proposing to approve every detailed change to an assessment strategy which, it was argued, would cause delays. This may have been a misunderstanding of the proposal, which was that awarding organisations should be required to keep their assessment strategies under review and notify Ofqual of any changes made to them.

Almost all the awarding organisations that neither agreed nor disagreed with this proposal said they needed more information about the proposals for assessment strategies to make a fully informed response.

Although respondents generally accepted the rationale for requiring assessment strategies, many concerns were raised about assessment strategies increasing the regulatory burden and duplicating information contained in other documentation. For example, qualification specifications or Centre Assessment Standards Scrutiny (CASS) strategies. Other concerns focused on the capacity of Ofqual to carry out its review of assessment strategies in a timely way and reach consistent decisions about them. Concerns were also raised that different organisations involved in the approvals process could each require the same type of document and information, but in a different format.

There were 40 responses provided by other respondents. Thirty-five of these respondents strongly agreed or agreed with the proposal, 2 neither agreed nor disagreed, 2 disagreed, and one did not indicate the extent to which they agreed or disagreed with the proposal. Twenty-one of these respondents provided comments.

Respondents that agreed with the proposal, thought assessment strategies would support the development of robust qualifications. However, there was some disagreement among this group of respondents about the degree of freedom and flexibility that should be afforded to awarding organisations in producing assessment strategies. Some thought that a common format or template should be used, while others argued that awarding organisations should have the freedom to develop their own strategies to which they adhere and report to Ofqual. They said Ofqual's requirement and guidance should not be based on a one size fits all approach.

Of the 2 other respondents that disagreed with the proposal, one thought if schools, colleges and training providers had been successfully delivering a range of qualifications for many years, then the production of assessment strategies by awarding organisations was unnecessary. The other thought that stipulating an assessment strategy presupposed that all qualification types would have some sort of formal examined assessment.

Question 6

Do you have any views on the proposed content for assessment strategies that is set out?

Forty-seven respondents provided comments on the proposed content for assessment strategies.

Twenty-four awarding organisations provided comments, most of which were broadly supportive of the proposed content for assessment strategies. Comments included:

- the content required in assessment strategies should be clear and standardised to allow for comparisons across awarding organisations
- the content required in assessment strategies could include detail on the ways to ensure validity and reliability of assessments, over time
- it would be useful to have a single section covering moderation or Centre Assessment Standards Scrutiny (CASS) for centre-marked assessments, rather than having the information spread over several sections.

As with responses to question 5 (above), some respondents thought that it would be helpful to have a common assessment strategy template to meet the needs of Ofqual, the Department and IfATE, supplemented by exemplar assessment strategies. Some suggested specific templates that

assessment strategies for alternative academic and alternative technical qualifications could be modelled on, such as the Key Stage 4 Technical Award technical evaluation template.

However, some awarding organisations did not agree with the proposed assessment strategy content, arguing that content might differ markedly for alternative academic qualifications and alternative technical qualifications. They said assessment strategy content cannot be defined for alternative technical qualifications until the design principles for occupational technical qualifications have been received.

The 24 comments provided by other respondent types contained mixed views. Comments included:

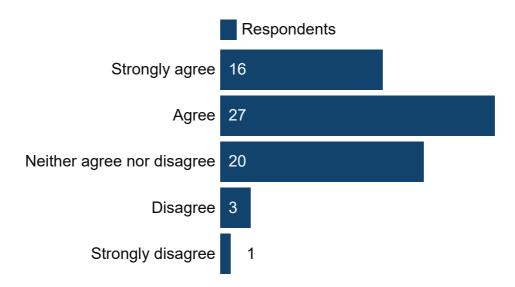
- the proposed content for assessment strategies was comprehensive, robust and a sensible approach
- the view that assessment strategies in general created unnecessary work for all involved
- a request from a representative organisation for an assessment strategy template so as not to place a disproportionate regulatory burden on awarding organisations
- the criteria by which assessment strategies would be evaluated should be set out clearly and in detail
- there should be more flexible approaches to assessment strategy content to take account of things like different student learning styles, different types of qualification and different qualification purposes
- requests that assessment strategies should focus on particular areas, such as assessment design, delivery, or marking
- that assessment strategies were a sensible way for awarding organisations to provide Ofqual, the Department and IfATE with the information required to determine approval and for ongoing regulation, particularly if IfATE and Ofqual aligned their requirements

Ofqual review as part of approvals processes

Question 7

To what extent do you agree or disagree with the proposal to set a requirement for awarding organisations to comply with any requirements or have regard to any guidance specified by Ofqual in relation to a review of one of these qualifications?

Change to table and accessible view



There were 67 responses to this question. Forty-three respondents either strongly agreed or agreed with our proposal to set a requirement for awarding organisations to comply with any requirements or have regard to any guidance specified by Ofqual in relation to a review of one of these qualifications. Four respondents either strongly disagreed or disagreed and 20 neither agreed nor disagreed. Thirty-seven respondents provided comments.

Fifteen awarding organisations strongly agreed or agreed with the proposal, 11 neither agreed nor disagreed, 2 strongly disagreed or disagreed and one did not answer the extent to which they agreed or disagreed with the proposal. Twenty-two awarding organisations provided comments.

For those awarding organisations that strongly agreed or agreed with the proposal, many thought having requirements and guidance:

- would aid consistency across awarding organisations
- would ensure minimum standards for qualifications
- should be proportionate, aligned with the needs of the Department and IfATE, and provided in a timely manner

Several awarding organisations also thought it sensible that the proposal was for the requirements and guidance to follow the same procedures as for strengthened Key Stage 4 Performance Table Qualifications. One awarding organisation asked for more clarity on the process for gaining approval from the Department, IfATE (for alternative technical qualifications only), and Ofqual. Another awarding organisation thought the proposed approach would ensure that any issues identified with the design or the controls within the qualification after assessment had taken place would be addressed.

For the awarding organisations that neither agreed nor disagreed with the proposal, the general

view was that more clarification was required on the process of approval. One awarding organisation mentioned that the Ofqual guidance for Key Stage 4 Performance Table Qualifications was very useful in taking away some of the ambiguity of the process. Another awarding organisation noted that not all awarding organisations have experience of the Key Stage 4 Performance Table Qualifications approach.

For the awarding organisations that strongly disagreed or disagreed with the proposal, one thought that there was no need for additional regulation. It argued that Ofqual's statutory powers already provide for this. The other awarding organisation addressed alternative technical qualifications only. It argued that a process that required qualifications to be submitted to both Ofqual and IfATE prior to approval would, from its experience, conflict with agile, fit-for-purpose qualification development. It stated that this would not align to the principles set out in the Skills and Post-16 Education Act 2022.

There were 39 responses provided by other respondents. Twenty-eight of these respondents strongly agreed or agreed with the proposal, 9 neither agreed nor disagreed, 2 disagreed, and 2 did not indicate whether they agreed or disagreed with the proposal. Fifteen of these respondents provided comments.

Those that strongly agreed or agreed with the proposal did so for similar reasons to those given by the awarding organisations.

Those that neither agreed nor disagreed thought it was difficult to comment without seeing more detail about this requirement.

The 2 responses that disagreed with the proposal both came from representative organisations. One thought Ofqual already had sufficient regulatory powers over awarding organisations to ensure they complied with any requirements and have regard to any guidance set by it. The other expressed wider concerns that any new requirements could present hurdles to the continuation of quality qualification provision in its field, which could create skills shortages and have negative societal and economic impacts.

The respondent that did not indicate the extent to which they agreed or disagreed with the proposal was a representative body. This respondent said the guidance provided by Ofqual for the Key Stage 4 Performance Table Qualifications was very useful and supported any processes that made it easier for awarding organisations to complete while minimising the regulatory burden.

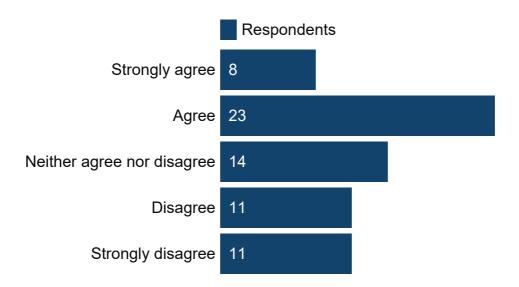
Some comments here appeared to relate to the proposals more generally rather than this specific proposal. There was a request not to introduce rigid criteria since it was argued this might lead to the loss of existing qualifications that are vital to smaller cohorts of part-time students or students embarking on a different career. Another respondent argued that care was needed so innovation and quality was not compromised when meeting requirements set by different organisations.

Disapplication of Ofqual requirements where approval for alternative academic and alternative technical qualifications is removed

Question 8

To what extent do you agree or disagree with the proposal to set requirements relating to the removal of approval for public funding for these qualifications?

Change to table and accessible view



There were 67 responses to this question. Thirty-one respondents either strongly agreed or agreed with our proposal to set requirements relating to the removal of approval for public funding for these qualifications. Twenty-two respondents either strongly disagreed or disagreed and 14 neither agreed nor disagreed. Forty-six respondents provided comments.

Seven awarding organisations strongly agreed or agreed with the proposal, 6 neither agreed nor disagreed, 14 strongly disagreed or disagreed. Twenty-six awarding organisations provided comments.

Of the awarding organisations that strongly agreed or agreed with the proposal, 3 thought titling conventions should be used to indicate which qualifications are funded Once funding was removed the qualification could continue with an amended title. Two awarding organisations thought that any requirements should stipulate that funding should not be removed from any qualification during its lifecycle. Two awarding organisations emphasised that if Ofqual then specified additional

requirements to determine the date from which the rules would be disapplied, awarding organisations should be given adequate notice. One suggested the notice period should be a minimum of 6 months.

All 14 awarding organisations that strongly disagreed or disagreed with the proposal provided comments. Twelve of these respondents thought that the burden of responsibility for reporting the removal of public funding should not sit with awarding organisations. It was argued that, as the Department determines which qualifications receive public funding, then it should be down to this organisation to communicate to Ofqual those qualifications where funding has been withdrawn. Awarding organisations that neither agreed nor disagreed with the proposal expressed a similar view.

Two awarding organisations commented that the proposal to set requirements was unnecessary, arguing that it added a further level of complexity for awarding organisations and, in the case of protecting student interests, this was already covered by the General Conditions of Recognition.

There were 39 responses provided by other respondents. Twenty-four respondents strongly agreed or agreed with the proposal, 8 neither agreed nor disagreed, and 8 strongly disagreed or disagreed. Twenty of these respondents provided comments.

Many comments from these respondents fell outside the scope of this question and the consultation. Some asserted that public funding was needed for qualifications, otherwise uptake would be minimal. Other respondents wanted to know who would decide to remove public funding for qualifications, and what systems would be in place to ensure fairness and consistency in reaching those decisions. Concerns were also raised about protecting students on courses that became de-funded, and about the slow decision-making process as to which specific qualifications would be de-funded, and the impact this had on education providers.

Seven respondents provided comments that generally addressed this consultation question. Three respondents that agreed with the proposal thought it would help provide clarity on which qualifications are publicly funded and are therefore required to comply with additional requirements. Of the 2 respondents that neither agreed nor disagreed with the proposal, one said that it was not the responsibility of awarding organisations to report the removal of public funding from their qualifications.

The other respondent thought that it was essential for all users of qualifications to be clear on the status of those qualifications, including whether they were publicly funded or not. The 2 respondents that strongly disagreed with the proposal again thought that it was not the responsibility of awarding organisations to report the removal of public funding from their qualifications.

Qualification purpose – alternative academic qualifications

Question 9

Do you have any comments on the proposed purposes set out for alternative academic qualifications?

Forty-two respondents provided comments on the proposed purposes set out for alternative academic qualifications.

Thirty-two respondents provided detailed feedback, with most respondents indicating at least some support for the proposed purposes. A further 4 comments indicated general agreement with the purposes as set out in the consultation. Six respondents expressed concern that they introduced further complexity into the system, while others questioned the value of the purposes to students. Of the 42 respondents who provided comments, 20 were awarding organisations or their representative groups, 17 were schools, colleges, academies and teachers responding in a personal capacity, or their representative groups. There were also 2 responses from higher education institutions and 3 from professional bodies.

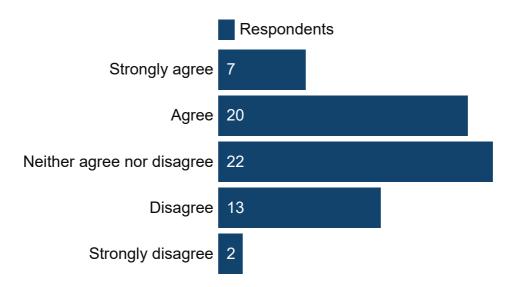
Respondents who commented directly on the purposes mainly made specific drafting points or commented on the order in which the purposes should be prioritised. In particular there were comments on General Purpose C (provide students with knowledge and understanding of theoretical content and the skills required to apply it in a range of contexts preparing them for progression into Higher Education), that taking academic qualifications should not preclude students from entering the workplace rather than progressing to higher education.

Several respondents raised concerns about the progression routes that will be open to students who take alternative academic qualifications. Those respondents were particularly keen to ensure that those who take alternative academic qualifications are not precluded from entering the workplace. One respondent pointed out that as T Levels can be used both for progression to higher education and into the workplace, so too should alternative academic qualifications.

Question 10

To what extent do you agree or disagree that, where it is not possible to fully meet all the purposes specified, an awarding organisation should prioritise them in the order (A to E) in which they are specified?

Change to table and accessible view



There were 64 responses to this question. Twenty-seven respondents agreed or strongly agreed with the proposal that, where it is not possible to fully meet all the purposes specified, an awarding organisation should prioritise them in the order (A to E) in which they are specified. Fifteen disagreed or strongly disagreed. Twenty-two respondents neither agreed nor disagreed. Forty respondents provided comments

Of those who strongly agreed or agreed with the proposal and provided comments, most indicated agreement with the proposal. Two argued that the order of priority may need to vary. One respondent, representing an awarding organisation, suggested the proposal would provide awarding organisations with welcome flexibility in qualification design and development.

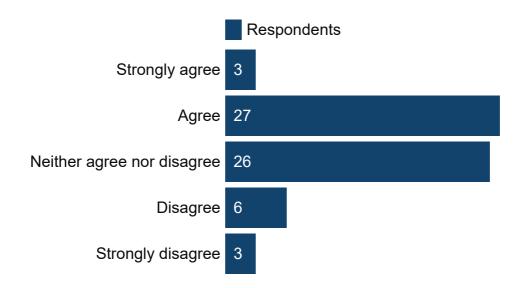
Most respondents who disagreed or strongly disagreed, suggested reordering the purposes in their comments. Six respondents believed that purpose C, which relates to progression to higher education, should be the primary purpose of a qualification. One respondent suggested purpose B, which relates to providing an engaging course of learning, should take priority. One respondent wanted purposes D and E, which relate to school and college accountability and to qualification size respectively, to be swapped over. Two of the respondents who disagreed with the suggested order of prioritisation did so on the basis that they felt there should be no hierarchy of purposes.

Of those who neither agreed nor disagreed, 4 respondents questioned whether the overall proposal would simplify the system as intended. One respondent suggested that a list of non-negotiable requirements would be preferable to a hierarchy, and another wrote that in practice the list of purposes is a list of hurdles which must all be cleared. Another respondent stated that the order of prioritisation should be kept as flexible as possible.

Question 11

To what extent do you agree or disagree with the proposal to disapply General Conditions E1.1 and E1.2 in respect of these qualifications?

Change to table and accessible view



There were 65 responses to this question. Thirty respondents either strongly agreed or agreed with the proposal to disapply General Conditions E1.1 and E1.2 in respect of these qualifications, 9 strongly disagreed or disagreed, and 26 neither agreed nor disagreed. Twenty-seven respondents provided comments.

Where respondents agreed with the proposal and provided a comment, they generally felt that it made sense to disapply General Conditions where they were superseded by new Conditions related to these qualifications. One of those respondents suggested that it would be easier for awarding organisations to only have one set of conditions to work with.

Where respondents neither agreed nor disagreed, 4 suggested that the General Conditions could be updated to reflect these purposes. Three said the General Conditions as currently drafted could be suitable for these qualifications.

Where respondents disagreed or strongly disagreed, 3 stated that they had concerns that disapplying General Conditions E1.1 and E1.2 would set a precedent for qualifications in other areas which would be inappropriate. One respondent suggested that, although disapplying General Conditions might be appropriate on a temporary basis, in this context it would be better to amend the General Conditions instead. One respondent was unclear whether the new purposes conflicted with those in the General Conditions. They did not understand why the General Conditions needed

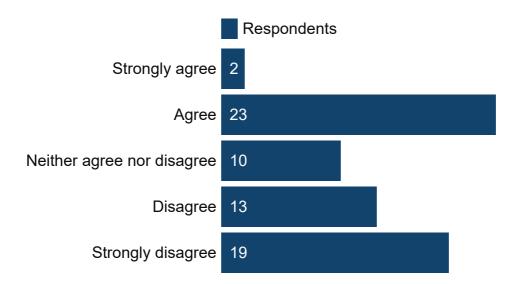
to be disapplied merely on the grounds of duplication.

Assessment by Examination

Question 12

To what extent do you agree or disagree with the proposal that a minimum of 40% of the contribution to the overall qualification is through Assessment by Examination?

Change to table and accessible view



There were 67 responses to this question. Twenty-five respondents strongly agreed or agreed with the proposal that a minimum of 40% of the contribution to the overall qualification should be Assessment by Examination. 32 respondents either strongly disagreed or disagreed, and 10 neither agreed nor disagreed. 52 respondents provided comments.

Of the 25 respondents who agreed with the proposal, 9 were schools or colleges, and 6 were awarding organisations. Most of the comments came from schools, colleges and representative groups. The majority said that the external assessment is likely to help with controlling standards, will provide a valid and reliable method of assessing some aspects of skills, knowledge and understanding, and helps with preparing learner for higher education study. These respondents also said that exemptions would be necessary for certain subjects, particularly creative arts subjects, and that the exam format must be flexible and fit for purpose.

Many felt that the 40% minimum contribution to the qualification was acceptable, stating that it would ensure the credibility of these qualifications whilst aiding consistency and comparability, with one stating that the contribution to the qualification of exam assessment should be increased to 60%. Many felt that this combination of Assessment by Examination and non-exam assessment would suit vocational students.

Thirteen awarding organisations disagreed or strongly disagreed with the proposal as did 5 representatives or interest groups.

Many respondents thought that the assessment had to be appropriate for the qualifications noting that some subjects such as art, performing arts, ICT, music and sport, do not lend themselves to Assessment by Examination.

Many also thought that setting such a high minimum weighting for Assessment by Examination would not necessarily increase validity of these qualifications, and that an increase in Assessment by Examination could cause significant logistical issues for awarding organisations and centres. Some respondents suggested that a weighting of between 20 and 30% would be a more appropriate minimum contribution to the overall qualification.

Many respondents said that examinations are inappropriate as an assessment of students' ability for vocational qualifications, particularly as many students take these qualifications because they prefer continuous assessment. Some respondents expressed a concern that this requirement could disproportionality impact special educational needs and disability (SEND) students, students with anxiety and those students who may find it difficult to provide an accurate representation of their abilities in an examination due to a variety of personal circumstances.

Others felt that the awarding organisation should be able decide the best assessment approach for their respective qualifications. Two respondents stressed that if examinations were required, then the students should be given credit towards the overall grade of the qualification if they do not pass the exam. Many respondents stated that an increase in Assessment by Examination would be out of step with higher education which is moving towards more varied methods of assessments, such as projects and open book exams.

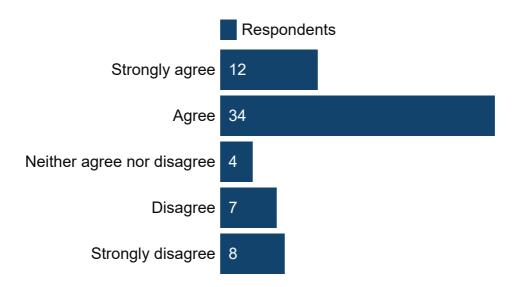
Ten respondents neither agreed nor disagreed with the proposal, 8 of which were awarding organisations. Nine of these respondents provided comments, which were similar to those set out above. One respondent asked whether the Assessment by Examination could be split into more than one assessment session while another wanted to know if Assessment by Examination could be delivered online with remote invigilation.

Assessment by Examination marking

Question 13

To what extent do you agree or disagree with the proposal to require that only awarding organisations will be permitted to mark Assessments by Examination?

Change to table and accessible view



There were 65 responses to this question Forty-six respondents strongly agreed or agreed with the proposal to require that only awarding organisations will be permitted to mark assessments by examination. Fifteen respondents strongly disagreed or disagreed, and 4 respondents neither agreed nor disagreed. 42 respondents provided comments.

Most respondents, including awarding organisations, agreed with the proposal, and thought that this would increase the consistency of marking and increase public confidence in these qualifications. Some of these respondents, whilst agreeing overall, raised concerns about the manageability of this requirement for assessments of practical skills.

Fifteen respondents, including 9 awarding organisations, disagreed with the proposal that only awarding organisations be permitted to mark Assessments by Exam. They raised the following concerns:

- the proposal would add to the administrative burden for awarding organisations
- marking practical performance-based subjects, including sports and art and design would be unmanageable for awarding organisations
- this was unnecessary regulation as it reduced the opportunities for innovation in assessment and limited the authenticity of some forms assessment

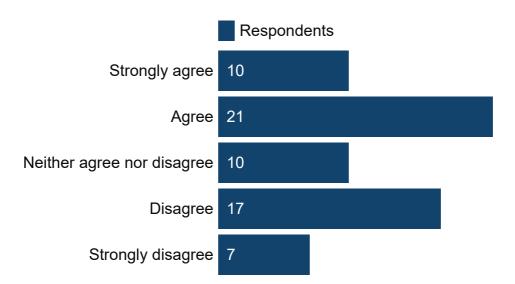
• the use of internal assessment with rigorous external moderation is a robust alternative control mechanism

Assessment by Examination availability

Question 14

To what extent do you agree or disagree with the proposal to require awarding organisations to provide up to two opportunities on set dates for students to take Assessment by Examination in each academic year?

Change to table and accessible view



There were 64 responses to this question. Thirty-one respondents either strongly agreed or agreed with our proposal to require awarding organisations to provide up to 2 opportunities on set dates for students to take Assessment by Examination in each academic year. Twenty-four respondents either strongly disagreed or disagreed with our proposal and 10 neither agreed nor disagreed. Forty respondents provided comments.

Of the 31 respondents who agreed with the proposal, 14 provided comments. Around half of the comments were from awarding organisations, who thought that 2 assessment opportunities was reasonable and would strike the right balance between allowing students to access assessments when they were ready and preventing over-assessment or excessive resits. These respondents

also thought that 2 assessment opportunities would be manageable for centres and awarding organisations.

The other comments in agreement with this proposal came from schools or colleges and representative groups. These respondents thought that 2 assessment opportunities would provide sufficient flexibility, noting that qualifications are often structured and taught in different ways between centres.

Of the respondents who neither agreed nor disagreed, concerns were raised about the resources needed to deliver, assess and quality assure outcomes at 2 different points in the academic year. These respondents took the view that it would be best to allow awarding organisations to decide whether to hold more than one assessment opportunity dependent on the qualification and the size of the cohort. Another respondent expressed their opposition to modularity and too many re-sit opportunities, suggesting that guidelines should be in place to prevent 2 attempts at the same examination within one academic year.

One respondent said that the proposal would not meet the needs of the competency style qualifications they deliver, particularly for adult students who are looking to progress within the workforce. This may have been a misunderstanding of the proposal, which would only apply to alternative academic qualifications.

Of the 24 respondents who disagreed with this proposal, 16 were awarding organisations, their employees or representative groups, 6 were schools or colleges, and 2 were other representative groups. Most of the awarding organisations who disagreed took the view that 2 assessment opportunities would be too restrictive for centres and learners, and that it should be a decision for awarding organisations. Some noted the development of their systems meant they were able to offer assessment on-demand and that would be more appropriate for some qualifications. Some also questioned how appropriate this would be for smaller qualifications.

Amongst schools and colleges there was the view that 2 assessment opportunities was too many and that it would disruptive to teaching and learning.

Question 15

Should Ofqual specify the dates or windows for these opportunities for Assessment by Examination to take place? If so, when should these be?

Sixty respondents responded to this question. Twenty-nine respondents agreed that Ofqual should specify the dates or windows for these opportunities for Assessment by Examination to take place.

Thirty-one respondents disagreed. Fifty-one respondents provided comments.

Respondents generally agreed that this approach would ensure consistency and enable effective planning for educational settings. Of those that agreed with the proposal, the most common suggestion was that these windows take place during the months of January and June, with one suggestion of the months of November and May.

Two respondents noted that the timing of assessments should take into consideration the impact on teaching time.

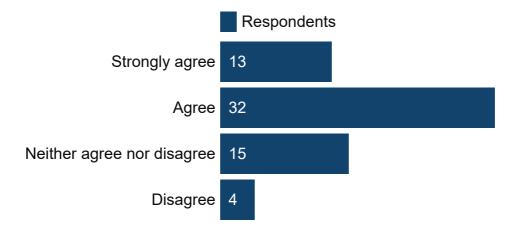
The respondents that disagreed generally said that centres should be able to determine the dates or windows themselves. This would allow centres the flexibility to accommodate further assessments during already busy periods in the year. There was also concern about the manageability of this proposal for awarding organisations and centres. Some respondents thought that more examinations within the same time frame would not be possible, due to the lack of physical space, the added burden of assessment arrangements and additional costs.

Exemptions

Question 16

To what extent do you agree or disagree with the proposal to allow exemptions from the requirement for all students to sit Assessment by Examination simultaneously and the limit of two assessment series on set dates, where an alternative approach would provide for more valid approaches to assessment?

Change to table and accessible view



Strongly disagree 1

There were 65 responses to this question. Forty-five respondents strongly agreed or agreed to allow exemptions from the requirements for all students to sit Assessment by Examination simultaneously and the limit of two assessment series on set dates, where an alternative approach would provide for more valid approaches to assessment. Five respondents strongly disagreed or disagreed, and 15 neither agreed nor disagreed. 39 respondents provided comments.

The majority of awarding organisation, school or college, and academy respondents welcomed the increased flexibility that would be allowed as a result of exemptions from the requirement for students to sit Assessment by Examination simultaneously. Some respondents also stated that the criteria and process to apply for exemptions should be clear.

Amongst the respondents who disagreed, 2 expressed concern about the impact on learner progress and employer requirements, in that extending the assessments will hinder progress on to employment or further study. One respondent that disagreed or strongly disagreed noted that the model of two windows for external assessment worked historically and was respected by stakeholders.

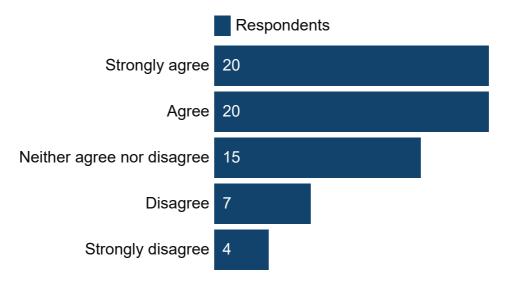
Of the 15 respondents that neither agreed nor disagreed, 9 commented, accepting the benefit of increased flexibility and stating that awarding organisations should manage the process for applying for exemptions. One respondent stated that validity of assessment should take precedence in that the frequency of assessment opportunities should be made on the basis of ensuring the validity of the assessment in relation to the subject and the qualification and manageability of arrangements for centres.

Non-exam assessment

Question 17

To what extent do you agree or disagree that awarding organisations should set non-exam assessments?

Change to table and accessible view



There were 64 responses to this question. Forty respondents strongly agreed or agreed with the proposal that that awarding organisations should set non-exam assessments. Eleven respondents strongly disagreed or agreed with the proposal, and 15 neither agreed nor disagreed. Thirty-four respondents provided comments.

A number of respondents provided general views on the benefits of non-exam assessment rather than responding specifically to the proposed approach for setting assessments. They commented on the benefits of being able to assess more than theoretical understanding, and the benefits for students particularly those with anxiety around traditional examinations as well as students with lower prior attainment. They also commented that non-exam assessments were particularly well suited to subjects where practical application can be critical.

There was consensus among awarding bodies that the proposed approach of awarding organisations setting tasks would provide the opportunity to cover a wider range of skills and prove a more accurate way to assess knowledge and understanding. Other comments from awarding organisations highlighted the need for Ofqual to provide clear guidance and/or requirements for awarding organisations, for example in relation to the need for awarding organisations to have oversight of any changes to non-exam assessments. They cautioned that manageability could be an issue if a large number of centres were involved.

Amongst respondents who neither agreed or disagreed with the proposal, there was a general view that awarding organisations already set assessments within existing controls and that it was not necessary to make this an explicit requirement. Others in this group said that a 'one size fits all' approach would not be helpful and could prove disadvantageous to niche or specialist awarding organisations.

Of the 6 respondents who disagreed with the proposal and left comments, there was concern around the loss of flexibility if awarding organisations set non-exam assessments. Two awarding organisations expressed the view that schools, colleges, and providers should be able to set their own assessments as this provided flexibility for institutions to work in partnership with employers or

higher education Institutions (HEIs) and, in so doing, to take account of local employer needs. They suggested that awarding organisations should set the criteria and standards for non-exam assessments, and externally verify the outcomes but that institutions should retain the option to set their own non-exam assessment.

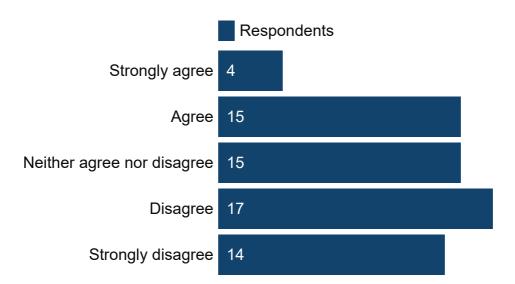
Similar views were made by some representative organisations in relation toto creative and expressive arts subjects. It was argued that if the assessments were determined by the awarding organisation it could mean that projects could not be developed in collaboration with industry, and as a result the projects and assessments would be relevant to students.

Non-exam assessment availability

Question 18

To what extent do you agree or disagree that awarding organisations should limit centres' submission of non-exam assessment outcomes to two windows in each academic year?

Change to table and accessible view



Sixty-five respondents responded to this question. Nineteen respondents either strongly agreed or agreed that awarding organisations should limit centres' submission of non-exam assessment outcomes to two windows in each academic year. Thirty-one respondents either strong disagreed or disagreed and fifteen neither agreed nor disagreed. Forty-four respondents provided comments.

Of those that agreed, most were schools and colleges and their representative groups. These respondents thought this gave sufficient flexibility whilst providing more structure than an open rolling process.

Awarding organisations thought that having up to 2 windows for submission would make the operationalisation of the process and controls easier to manage whilst providing flexibility for centres.

Amongst those that neither agreed or disagreed some respondents requested further clarification on the proposal as they were unclear what issue is being addressed.

One respondent commented that they did not see this as meeting the needs of the competency type qualifications they deliver, as many of their qualifications are roll-on, roll-off, especially for adult students wishing to progress within the workforce. This may have been a misunderstanding of the proposal, which would only apply to alternative academic qualifications.

The majority of respondents that strongly disagreed or disagreed were awarding organisations and schools or colleges. They thought that this proposal would be too restrictive and reduce their flexibility to meet the needs of students, including adult students. Many thought that imposing such a requirement across a range of qualifications would not be appropriate based on the differing content studied in different qualifications.

However, 2 respondents who disagreed, both schools or colleges, thought that one window every academic year was sufficient. Amongst some awarding organisations there was a view that this proposal would impose additional regulatory burden, particularly for smaller awarding organisations. They said this may lead to smaller awarding organisations being unable to offer some qualifications, reducing choice for students.

Question 19

Do you think that Ofqual should require windows for the submission of non-exam assessment marks to align with the availability of Assessment by Examination?

Sixty-one respondents responded to this question. Eighteen respondents agreed that Ofqual should require windows for the submission of non-exam assessment marks to align with the availability of Assessment by Examination. Forty-three respondents disagreed. Forty-one respondents provided comments.

Respondents that agreed commented that it made sense to align the windows for each period and that it would be easier to work to, as well as introducing consistency to non-examination and

examination approaches.

One respondent from a school or college commented that although Ofqual-set assessment windows may be useful for attainment tracking and planning in schools, greater flexibility may be better for the course design of some qualifications.

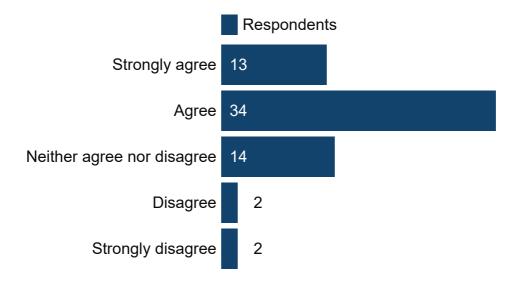
The majority of respondents that disagreed thought that it would be more appropriate for awarding organisations and centres to set the assessment windows for these qualifications.

Retaking non-exam assessment

Question 20

To what extent do you agree or disagree with the proposed approach to retaking nonexam assessments?

Change to table and accessible view



There were 64 responses to this question. Forty-seven respondents strongly agreed or agreed with the proposed approach to retaking non-exam assessment., Four strongly disagreed or agreed and 14 neither agreed or disagreed. Thirty-four respondents provided comments.

Awarding organisations were largely supportive of the proposal to explicitly allow, for students retaking non-exam assessment, awarding organisations to consider both new evidence or a revised

version of evidence which has previously been submitted, as they thought this would provide a good balance between robustness and flexibility for centres.

A number of respondents who agreed with the proposal sought clarity on:

- the type of requirements that might be placed on centres to record and provide evidence where improvements have been made
- whether mandatory training should be provided to centres
- the number of times a student could re-enter for the same set of assignments
- clear guidance to minimise the overlap of retakes and assignments which could be burdensome to staff and students
- whether students could retake a particular question or part of the assessment rather than retaking the whole assignment, in order to cover a specific learning outcome

Those respondents who neither agreed nor disagreed with the proposal expressed the view that the operational implications had not been fully explored in the consultation. One awarding organisation commented that the proposed approach would not be suitable for the 'competency type' qualifications that they delivered. This may have been a misunderstanding of the proposals, as this proposal would only apply to alternative academic qualifications, and most competency type qualifications are likely to be alternative academic.

The respondent who disagreed with the proposals considered opportunities for feedback and improvement were already permitted for non-exam assessment and on that basis, resubmission should not be permitted.

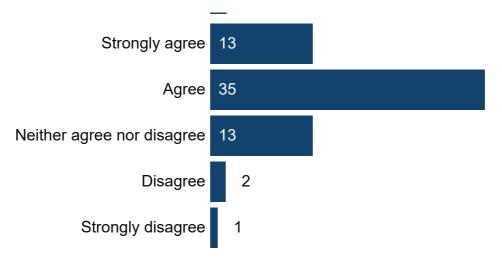
Marking and assessing performance in non-exam assessments

Question 21

To what extent do you agree or disagree that non-exam assessments should be marked or assessed by one of: the awarding organisation, a Centre, or a combination of these approaches?

Change to table and accessible view

Respondents



There were 64 responses to this question. Forty-eight strongly agreed or agreed with the proposal that that non-exam assessments should be marked or assessed by one of: the awarding organisation, a Centre, or a combination of these approaches. Three respondents strongly disagreed or disagreed, and 13 neither agreed or disagreed. Thirty-four respondents provided comments.

The majority of respondents supported the proposed approach to marking of non-exam assessment, and in particular agreed that a combination of awarding organisation and centre marking should be permitted. Some awarding organisations commented that the proposal would support a more flexible and manageable process for both centres and awarding organisations. One awarding organisation highlighted that this would also avoid some of the practical difficulties for awarding organisations in marking certain assessments. A minority of respondents, who supported the proposal, said that centre marking was their preferred option in conjunction with effective quality assurance processes to ensure consistency.

One awarding organisation stated that for alternative academic qualifications, non-exam assessments should be marked by the centre but be subject to moderation by the awarding organisation. They argued this would offer a proportionate level of control over centre-marked assessment whilst allowing for applied and practical performance to be assessed in the most valid way.

There were calls for additional guidance on Centre Assessment Standard Scrutiny (CASS) from some respondents including those from schools and colleges. These respondents as well as some representative bodies suggested that support and training as well as clear protocols would be essential to ensure consistency of marking and assessing performance and that this should be available along with opportunities to engage with awarding organisations.

Those respondents who neither agreed nor disagreed with the proposals generally thought that the decision on who should mark non-exam assessments should be made awarding organisations, based on what was most appropriate for each qualification.

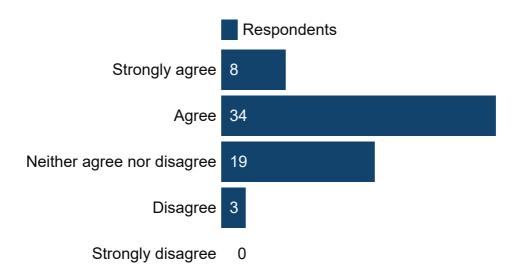
One respondent who disagreed with the proposal because they thought it covered standard industry practice and the proposal would amount to unnecessary regulation.

Setting standards

Question 22

To what extent do you agree or disagree with the proposed approach to setting standards in these qualifications?

Change to table and accessible view



There were 64 responses to this question. Forty-two respondents either strongly agreed or agreed with our proposed approach to setting standards in alternative academic qualifications at level 3. Three respondents disagreed with our proposals and 19 neither agreed nor disagreed. Twenty-nine respondents provided comments.

Most of the respondents that strongly agreed or agreed with the proposals did so because they felt that awarding organisations had processes currently in place for these qualifications (or in other qualifications they provide) that could be applied to these qualifications to ensure comparability and maintain standards. They also agreed that awarding organisations should have the flexibility to decide on the most appropriate approach to use, which would be backed up by a clear rationale and evidence.

Many of the respondents that agreed with the proposal commented on the need for comparability of standards within and across awarding organisations where alternative academic qualifications are offered in the same or similar subjects. Some of the awarding organisations that agreed with the proposal thought that if one approach is deemed by Ofqual to be the most effective and desirable, then it should introduce conditions and guidance. It was thought that this would ensure comparability between qualifications and across awarding organisations.

A small number of respondents requested clarity for teachers and students, so that the rules and processes they will need to follow are clear and would be easy to follow. An important point for these respondents was that for both students and end users it must be clear what level of attainment is required to be awarded the qualification.

One respondent who agreed with the proposal cautioned against introducing many of the approaches used to set standards in general qualifications. The use of prior attainment was seen as particularly problematic due to smaller cohort sizes and the lack of prior attainment data for many students who would be taking alternative academic qualifications at level three. The respondent felt this meant there were less chances for meaningful and valid correlations between cohorts and individuals.

One awarding organisation thought that marks-based assessments, especially in non-exam assessment would provide a more robust control over standards than assessments that were directly graded. This respondent also stated that the externally examined component in current applied general qualifications affords some additional controls over standards, but the reliance on this component as the main vehicle for maintaining consistent standards puts a disproportionate weighting on a relatively small element of the overall assessment.

There were only a small number of comments from respondents that neither agreed nor disagreed with the proposals. These respondents generally commented that awarding organisations are already setting standards appropriately in accordance with the General Conditions. These respondents highlighted the varied nature of the qualifications at level three and said that this may necessitate a varied approach across qualifications and subjects. Some qualifications would be better suited to mark-based assessment, but directly graded assessments would also need to be considered in some other qualifications.

One awarding organisation who neither agreed nor disagreed with the proposal said that it did not match the needs of the competency type qualifications the awarding organisation delivers. This may have been a misunderstanding of the proposal, which would only apply to alternative academic qualifications.

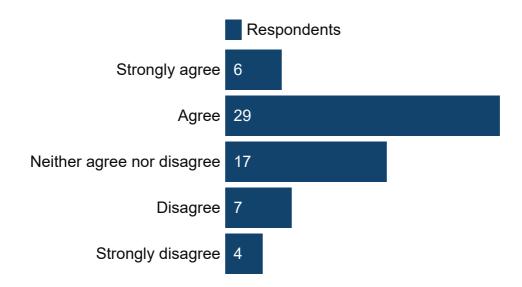
Of the 3 respondents that disagreed with the proposal, 2 provided comments. One respondent commented that they need more information about what setting and maintaining standards across qualifications at level 3 would entail. The other respondent thought that a key consideration should be new working practices and technologies, and they thought this wasn't considered in the

proposal. Their concerns were that the proposals may ensure consistency over time at the expense of the flexibility that is required to make the qualifications meaningful for students and as up to date with working practices as possible.

Question 23

To what extent you agree or disagree with the proposed approach to nested qualifications?

Change to table and accessible view



There were 63 responses to this question. Thirty-five respondents either strongly agreed or agreed with our proposed approach to nested qualifications. Eleven respondents strongly disagreed or disagreed, and 17 neither agreed nor disagreed. Thirty-seven respondents provided comments.

The majority of those that agreed with the proposed approach to nested qualifications did so because they believed this approach would offer flexibility for students. They felt that the proposal would mean that all options and pathways would still be available for students, with this level of choice seen as beneficial for students and centres, who would be able to tailor study programmes to suit individual student needs.

Many of the respondents that agreed commented that no further requirements here are needed. They stated that in most cases the proposed size of qualifications reflects current practice and welcomed the proposed approach to nesting. They agreed with the proposal that no further requirements should be put in place.

Some respondents who agreed also highlighted the value that nested qualifications can bring to students. They stated that nested qualifications are valuable in progression to further study. In their opinion the nesting of qualifications is good preparation for students in advance of taking university or higher-level qualifications.

Two awarding organisations agreed with the proposal and noted that qualifications that are smaller in size still have a valuable role to play and can act as effective routes into employment. They noted that smaller qualifications are often taken by disadvantaged students, and that any restrictions on the availability of smaller qualifications could disproportionately affect students with protected characteristics.

The majority of those respondents that neither agreed nor disagreed with the proposals did so as they felt there were elements of the approach that needed to be explained further before they could make a decision on them and asked for further clarity on the proposals. Some of the awarding organisations in this group said that there was the potential for burden here that they felt they were unable to estimate without further information.

The majority of respondents that disagreed or strongly disagreed with the proposed approach did so as they believed that it would limit choice for students and restrict their opportunities to change qualification mid-programme. This may have been a misunderstanding of the proposal as we had not proposed prohibiting nested approaches or setting additional requirements, only that awarding organisations should explain their approach in their assessment strategies.

Other respondents who disagreed thought that nested qualifications should not be allowed at all as they would increase complexity and place additional burden on awarding organisations, and that the nesting of qualifications would be used to move students on to smaller qualifications when they unable to complete the larger ones.

Although not part of the proposal for nested qualification, several respondents took this opportunity state that they thought standardising the size of the qualifications would be beneficial. They felt that those qualifications taken alongside A levels would most benefit from a standardisation in size, as well as other, smaller qualifications that are taken alongside larger qualifications to form a programme of study.

Some of this group of respondents asked that a standardisation of qualification size should be a requirement for those qualifications that appear on performance tables, which they felt would aid consistency and comparability.

Question 24

Do you have any comments on Ofqual's proposals in relation to its approach to regulating

alternative technical qualifications?

Thirty-nine respondents provided comments to this question. Of these, 34 were from organisations (20 awarding organisations, 3 representative groups, 5 schools, colleges or academy chains and 6 universities, HE organisations or other respondents), and 5 were personal responses from teachers or other individuals.

Around half of respondents commented that they were broadly supportive of the proposed approach would like to know what requirements IfATE intended to set and were keen to understand how qualifications would align with occupational standards. Respondents also said they would need to know which qualifications would be available in the future landscape, to fully consider the impact of the proposals and what the approval process for these qualifications would be, including how employers and professional bodies would be involved in this.

An awarding organisation commented on Ofqual's proposal to require an assessment strategy for alternative technical qualifications, while not setting specific design requirements. They felt it may be more difficult to write an assessment strategy, if the requirements against which the qualification was designed had not also been specified.

Some respondents made general comments about technical qualifications and their design, as opposed to commenting on the proposal for how they should be regulated. These comments included that:

- the assessment methods for technical qualifications should mirror as closely as possible the relevant occupational standard
- there should be an emphasis on externally set and marked practical assessments, to ensure students leaving FE colleges have the skills needed by employers
- it is important to ensure parity between qualifications, so that no qualification is seen as a lesser alternative

A representative group commented, with particular reference to engineering qualifications, that it would be important that qualifications could be updated rapidly to meet the needs of the sector, and were not restricted by occupational maps or approvals processes. They also commented that it was important for there to be sufficient flexibility for awarding organisations so determine approaches which best suit their qualifications, and that in many cases this would necessitate assessment through forms other than Assessment by Examination.

A number of respondents made comments relating to the respective roles of Ofqual and IfATE in the future landscape. These included:

a representative group who commented that the regulatory landscape is complex and needed

simplification

- that the potential for what they saw as dual-regulation could increase qualification development time and cost and the importance of building on existing practice in areas where Ofqual and IfATE already work together
- the potential for a complex review process involving Ofqual, IfATE and the Department and the need for this to be clearly defined along with the timeline for it

A number of respondents made general comments relating to alternative technical qualifications, which did not relate specifically to the proposals in the consultation. These comments included:

- the need to consider the areas not covered by A levels and T levels and the gaps that may remain, and the need to ensure these areas are not defunded
- the need to consider the impact of defunding qualifications on students who may find A levels and T Levels difficult to achieve
- that alternative technical qualifications are too closely aligned to occupational standards, which
 are already covered by apprenticeships. An awarding organisation queried whether qualifications
 that do not directly align to occupational standards, but which align with other professional
 standards, would be available in future
- that it was important to ensure students develop a range of general skills needed by employers, which they felt would not be achieved through the current approach to alternative technical qualifications
- the need for clarity about whether qualifications would be part of the academic or technical part of the future landscape. Respondents noted that some qualifications serve both academic and technical purposes

Equality impact

Question 25

Are there any other potential impacts (positive or negative) on students who share protected characteristics that have not been identified?

There were 58 responses to this question, with 31 respondents answering 'yes' and 27 respondents answering 'no'. Thirty-seven respondents left comments explaining their response, 30 of whom had answered 'yes'.

Of those who believed that there were potential impacts on students who share protected characteristics that Ofqual had not identified in the consultation, the most common proposal referenced was around the introduction of 2 assessment windows and the timing of these. Several respondents suggested that this could negatively impact students from disadvantaged backgrounds who are more suited to flexible learning. It was also noted that this proposal could disadvantage students who require qualification results to progress. One respondent noted that the restriction of assessment windows could negatively impact students with long-term medical conditions who may be more likely to miss an assessment due to illness.

Other respondents noted that there may be some negative impacts arising from the requirement of 40% Assessment by Examination. Several respondents noted that this would remove some of the flexibilities needed by students with protected characteristics. One respondent specifically referenced the impact that this proposal may have on students with disabilities or socio-economic issues that could prevent them from travelling to examination venues.

The reduction in flexibility afforded by Ofqual's proposals was also referenced more generally by respondents. They suggested that awarding organisations and centres should be afforded greater flexibility to tailor approaches for students with protected characteristics.

Several respondents noted their concerns that the proposals would negatively impact certain groups of students but did not specify any specific equalities impacts. A number of respondents thought that our proposals had not given enough consideration to the impact on adult students, whose needs differ from the 16 to 19 cohort.

Several respondents referenced the equalities impacts related to the removal of funding from some qualifications. Although these do not fall within the remit of this consultation, as funding decisions lie with the Department, the key points can be summarised as:

- concerns over the removal of choice for disadvantaged students
- questions over how funding decisions will be made
- concerns that funding decisions will drive students towards low quality qualifications

Some respondents also noted that they would not be able to comment fully on the equalities impacts until they had more information on the proposals.

Question 26

Are there any additional steps that could be taken to mitigate any negative impact, resulting from the proposals, on students who share a protected characteristic?

There were 53 responses to this question, with 28 respondents answering 'yes' and 25 answering 'no'. Thirty-two respondents added a comment clarifying their answer.

Many of the comments related to assessment methods, with several respondents suggesting that allowing for a variety of assessment methods is essential for inclusion. A few respondents also explicitly suggested that Ofqual remove the requirement for 40% Assessment by Examination. Others suggested that modularity and clear grade criteria would increase inclusivity. One respondent suggested that introducing a naming convention that allowed students to take the qualification with only non-exam assessment where necessary would be welcome. Another explicitly suggested the removal of the limit on number of assessment series.

Several of the respondents reiterated the importance of minimising any negative impacts, without giving specific suggestions. One suggested trialling the proposals to test the impact before rolling out more widely.

Several of the respondents highlighted that they would require more information about the proposals to be able to comment properly. Others referenced funding decisions made by the Department, which do not fall within the scope of this qualification. Comments related to maintaining funding for specific types of qualification and providing clarity around funding for adults.

Question 27

Do you have any other comments on the impact of the proposals on students who share a protected characteristic?

Seventeen respondents provided comments in response to this question. The majority of responses referenced the importance of having a variety of assessment methods to allow for flexibility and inclusion. One respondent highlighted that they believed more consideration needed to be given to the impact of the proposals on adult students. Another reiterated their suggestion that the proposals be trialled.

A couple of respondents referenced the impact of Assessment by Examination on learner mental health, noting that the pressure of exams could cause anxiety. One of these noted, however, that they believe that having 2 assessment series could provide some flexibility. The same respondent also noted that non-exam assessments could disadvantage some students who do not have access to the equipment and resources needed, for example those from lower socio-economic backgrounds. They suggest that to mitigate against this, that non-exam assessments are made as broad as possible and able to adapt to a wide range of contexts.

Several respondents again highlighted that they would need more information on the proposals to be able to comment on the equality impacts properly.

Regulatory impact

Question 28

Are there any regulatory impacts that have not been identified arising from the proposals? If yes, what are the impacts and are there any additional steps that could be taken to minimise the regulatory impact of the proposals?

Twenty-eight respondents provided comments in response to this question. The majority of the responses came from awarding organisations, but with a few responses from representative bodies and school or higher education institutions.

Of those that commented, a small minority noted that they did not envisage any additional regulatory burdens based on the information provided, for example because their qualifications were already assessed by examination.

Some respondents confirmed that the regulatory impacts already identified in the consultation would be likely to occur, such as possible costs arising from the requirements to produce assessment strategies, but did not suggest there were any additional impacts that had not already been considered.

However, the majority of those who commented suggested there would be additional regulatory impacts arising from the proposals which had not been considered.

Of the additional regulatory impacts noted, several respondents commented that an increase in the amount of Assessment by Examination may result in increased requests for reasonable adjustments creating additional administrative burden. It was also suggested that too many restrictions placed on non-exam assessments could also lead to increased burden and reduced flexibility.

Some respondents were concerned about the complexity of the proposals and the role of IfATE resulting in 2 sets of regulation to comply with, which could unnecessarily increase the regulatory burden and add to delays. In addition, there might also be requirements from home nation regulators for awarding organisations. It was therefore suggested that regulators should work more

closely and utilise a common reporting structure and format, and that information should be shared between regulators to reduce duplication requests for the same information. There were also concerns about duplication of effort with and alignment with regulatory and professional requirements that support entry into the professions.

Some respondents commented that the proposals would be likely to have a disproportionate administrative and financial impact on smaller, niche awarding organisations, potentially affecting their sustainability, and on smaller centres that work with them.

The impact of the proposals on qualifications outside the UK was also raised. There was concern that the proposals could impact on alternative academic qualifications used for employment or post-secondary education outside the UK and inhibit development of an approach that meets the needs of non-UK students and centres. It was also unclear how the proposed regulations might impact qualifications being offered in the private education market as well as those offered in the state-funded sector.

Other comments on additional regulatory impact noted the following:

- tight timescales might impact on resourcing and lead to delays
- there would be costs involved in evaluating and improving qualifications
- removal of funding might lead to some qualifications continuing to be offered unfunded but retaining the existing titling, with the resulting confusion over titling potentially leading to a regulatory impact
- the proposals had not fully considered the impact on disabled students both with and without Education, Health and Care Plans (EHCP)
- the regulatory approach requiring all qualifications to be designated as either alternative technical or alternative academic qualifications could force changes to qualification design that might reduce quality for flexible qualifications that currently serve both purposes successfully

However, a number of respondents commented that they were unsure whether there might be further regulatory impacts, due to the limited information available in the consultation, particularly relating to alternative technical qualifications, given the lack of information about how IfATE will operate.

Question 29

Are there any costs, savings or other benefits associated with the proposals which have not been identified? Please provide estimated figures where possible.

Of those that responded, 23 said 'yes', 33 said 'no'. Thirty-three respondents provided comments. Responses tended to focus on the costs associated with the proposals rather than the savings or other benefits, although both were mentioned. Responses varied by respondent type.

In general, schools, colleges and training providers were concerned about potential costs they would incur as a result of the proposals, in particular the costs of introducing more assessment by exam, such as greater invigilation costs, and additional costs for training, equipment, logistical problems and lost learning for extra examination series, examination fees, and IT costs if the examinations are online or on-screen. It was also suggested that higher costs for awarding organisations as a result of the proposals would be likely to be passed on to schools.

A representative body noted that large colleges offering a range of accredited qualifications work with a large number of different awarding organisations; it was therefore important to ensure that any changes do not accumulate additional workload burdens or add to the complexity of systems which schools, colleges and training providers have to navigate.

It was suggested however that streamlined administrative systems and a fully structured assessment calendar that was mindful of examination sittings to ensure they could be accommodated, and quality assurance requirements met, would significantly help schools, colleges and training providers.

Awarding organisations, meanwhile, focused more on the costs they themselves might face as a result of the proposals. The majority of awarding organisations that responded commented that the proposed changes were likely to make the system more cumbersome and would be likely to lead to increased costs for awarding organisations, particularly where what respondents described as 'dual recognition' is introduced.

It was noted that the more prescriptive Ofqual and IfATE were to become, the greater the costs and burdens placed on the system as a whole would be likely to be. It was noted that the impact would be particularly onerous for awarding organisations currently lacking the processes or systems needed to support these changes and for more niche and/or specialist awarding organisations. It was suggested that these additional costs to awarding organisations could be significant in some cases.

Particular areas that awarding organisations felt could lead to additional costs included new requirements around assessment strategies, the setting of non-exam assessments, and 40% Assessment by Examination in subjects that do not currently incorporate this. It was also suggested that extra costs might be incurred if the changes were to lead to an increase in data requests from the regulators, and from putting in place additional support for schools, colleges and training providers.

It was also noted that the proposed introduction of 2 assessment windows per year would lead to huge peaks of administration and quality assurance activity for awarding organisations at those times of year, which would particularly impact the smaller awarding organisations who might not have the capacity to deliver this. It was further suggested that additional costs might arise if alternative approaches to performance-based assessments in alternative academic qualifications are required to be reviewed and redeveloped.

Awarding organisations and representative bodies commented that these proposed changes would be likely to incur additional costs due to the need to recruit additional staff and introduce new IT resources, systems and software, and new systems and processes, particularly where needed to ensure compliance with the requirements of IfATE and Ofqual. Respondents urged Ofqual and IfATE to work together closely to co-ordinate their approaches and requirements. It was also suggested that there might be additional costs for marking scripts, due to competition for examiners and markers at key fixed assessment dates.

Most awarding organisations did not attempt to estimate the extent of the costs, with several stating that they lacked the detail to do so at this stage. It was noted that the costs would be likely to vary between the different awarding organisations. One awarding organisation estimated that the additional costs of creating a session specifically to meet an Ofqual set timetable is likely to be in the region of \$6 million.

It was also noted that failure to get funding for some or all qualifications could result in a loss of income for some awarding organisations mounting to millions of pounds.

A number of respondents stated that there was insufficient information currently for them to identify whether or not there might be further costs that have not been identified.

It was also noted that the proposals might lead to savings for some groups and costs for others, with an increase in external assessment, for example, decreasing costs that schools, colleges and training providers currently incurred on assessor training and time, internal verifier training and time, meetings and paperwork; but increasing costs correspondingly for awarding organisations. It was also noted that the proposals might lead to benefits for students.

Finally, it was also noted that there would be costs for other stakeholders than schools, colleges, training providers and awarding organisations, as parents, employers, universities and government would also incur additional costs in learning and familiarising themselves with the changes proposed, such as those to qualification titling.

Question 30

Is there any additional information that should be considered when evaluating the costs and benefits of the proposals?

Twenty-six respondents provided comments.

Responses to this question were often similar to those for the previous question. A number of respondents again noted that in the absence of more detailed information, it was hard to comment on the costs or benefits of the proposals.

Of those respondents who did attempt to suggest additional information that should be considered when evaluating the costs and benefits of the proposals, general suggestions included considering the whole assessment process, and considering the purpose of the qualifications. It was also suggested that costs of proposals would depend on the extent of change required.

A number of respondents noted again that costs and benefits would vary widely across awarding organisations, with smaller or specialist awarding organisations or those currently lacking the processes or systems needed to implement these changes likely to be more affected. It was noted that these smaller or more specialist organisations would find it harder to successfully mobilise large amounts of resource to manage redevelopment and approval processes for new qualifications, particularly in an initial first wave of approvals, as larger organisations might.

It was therefore suggested that there should be greater consultation with awarding organisations on an individual basis to determine the benefits and costs for them.

Another commonly noted factor that respondents suggested should be considered was the impact of different requirements being set by Ofqual and IfATE, and that the more prescriptive and complex the regulatory structure was, the greater the operational and delivery costs would be for awarding organisations. It was therefore noted that it was essential that roles and responsibilities were clearly set out, and systems, policies and procedures were implemented in full prior to any new proposals being introduced as requiring awarding organisations to 'retrofit' to systems or procedures brought in later would lead to additional costs for awarding organisations. It was suggested that consideration should be given to the impact of proposed requirements for assessment strategies, as any delay in Ofqual and IfATE reviewing and approving these would have a major financial impact on awarding organisations.

Awarding organisations noted costs that should be considered included additional costs for marking of scripts should there be fixed assessment dates and competition for markers and examiners in similar disciplines, extra development costs, training costs for assessors and subject expert and operational costs.

Schools, colleges and training providers commented on the need to consider the impact of the likely increase in assessment costs on their sector and suggested limiting cost increases in registration fees. We also received several responses from schools and colleges which did not specifically address the question but highlighted concerns around lack of funding in the sector.

Question 31

Do you have any comments on the impact of the proposals on innovation by awarding organisations?

Thirty-seven respondents provided comments on the impact of the proposals on innovation by awarding organisations.

The majority of those who commented suggested that the restrictive nature of the proposals and the lack of flexibility in the approach, with what was seen as a one-size-fits-all qualification design, might reduce innovation and make it harder to keep qualifications up-to-date and meet future changes or respond to innovations in industry. It was suggested that reducing choice and requiring particular assessment methods could inhibit the natural positive evolution of the education landscape. The impact of requirements for Assessment by Examination on inhibiting qualifications in creative subjects was also noted.

Some respondents felt that the lessons of the coronavirus (COVID-19) pandemic regarding the importance of flexibility and adaptation in assessment had not been fully incorporated, for example there was no reference to the use of technology in assessment in the proposals, and suggested that this was a missed opportunity to encourage innovation and future-proof the qualifications. It was noted that it was important that regulatory rules were sufficiently flexible to allow for new developments and innovations in assessment, for example, developments in on-screen and ondemand assessments.

It was suggested that the proposals could impact awarding organisations wanting to develop qualifications in new and emerging sectors for which national standards have not yet been written and limit the opportunity for innovative cross-cutting qualifications that do not fit neatly into a 'subject' or traditional UK system mould. It was also suggested that the proposals could reduce innovation because all awarding organisations would have to meet exactly the same occupational standards in the same, or very similar, ways in order to be fully comparable.

Some respondents commented that the requirements proposed might only be feasible for larger awarding organisations to implement, thus reducing potential implementation from smaller awarding organisations.

It was also noted that unclear timelines for decisions and guidance would be likely to hamper organisations' ability to prioritise innovation with confidence, as they are already starting to design and develop qualifications without knowing key information that might affect how they might structure and assess them.

It was also suggested that requiring awarding organisations to set non-exam assessments in academic qualifications would hinder innovation at centre level, where schools, colleges or training providers would normally have flexibility to write their own non-exam assessments.

It was noted that there was a risk that the drive to ensure greater quality of qualifications through standardisation and simplification might inadvertently reduce innovation. In addition, the requirement that all qualifications must be focussed on either progression to higher education or to industry, but not both, might risk closing off opportunities for innovation.

On the other hand, some respondents felt that the proposals would not impact on innovation, as they contained sufficient flexibility, such as potential exemptions to the mandated figure (40%) of Assessment by Examination on academic qualifications. It was noted that the fact that the proposal for a minimum of 40% Assessment by Examination would not apply to alternative technical qualifications would allow for greater innovation for these types of qualifications, for example in the introduction of different types of practical assessment, which would in turn increase the validity of the qualification. It was suggested that the flexibility for awarding organisations to develop their own content would increase innovation.

It was also suggested that while that while a tighter regulatory framework might limit some innovations, the consistency and clarity it would bring to users would outweigh this disadvantage.

Annex A: List of organisational respondents

When completing the consultation questionnaire, respondents were asked to indicate whether they were responding as an individual or on behalf of an organisation. These are the organisations that submitted a non-confidential response:

- Active IQ
- Ascentis Awarding Organisation (ASCL)
- Association of Colleges (AoC)
- AQA
- Chartered Institute of Credit Management (CICM)
- Cheshire College South and West
- Chichester College Group
- City & Guilds
- Cirencester College
- CPCAB (Counselling and Psychotherapy Central Awarding Body)

- Crafts Council
- Dallam School
- Day One Trust
- EAL
- Engineering Council
- English Speaking Board (International) Ltd
- FAB
- Gateway Qualifications
- HOLEX
- IB Schools and Colleges Association
- IMI
- Jisc
- Linking London, hosted by Birkbeck, University of London
- Long Road Sixth Form College
- Longley Park Sixth Form
- Loughborough College
- NALP
- National Association of Schoolmasters and Union of Women Teachers (NASUWT)
- NCFE
- NEU
- NOCN
- OCN London
- OCR
- OneSchool Global
- Pearson
- QNUK
- Reigate College
- Royal Mencap Society
- RSL Awards
- Signature
- Sixth Form Colleges Association (SFCA)
- Skills and Education Group
- The London Institute of Banking & Finance
- Training Qualifications UK

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